

By Mr. SULLOWAY: A bill (H. R. 9277) for the relief of the State of New Hampshire—to the Committee on Military Affairs.

By Mr. WATSON: A bill (H. R. 9278) granting a pension to Thomas J. Bland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9279) granting a pension to Mary M. Nipp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9280) granting an increase of pension to John M. Hildreth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9281) granting an increase of pension to Harriet J. Sparks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9282) granting an increase of pension to Thomas Gandy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9283) granting an increase of pension to John Newlands—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9284) granting an increase of pension to Martin Ottinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9285) granting an increase of pension to Samuel Grigsby—to the Committee on Invalid Pensions.

By Mr. WEEMS: A bill (H. R. 9286) granting an increase of pension to S. Amanda Mansfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9287) for the relief of John McDonald—to the Committee on Military Affairs.

Also, a bill (H. R. 9288) for the relief of John H. Willis—to the Committee on Military Affairs.

Also, a bill (H. R. 9289) granting a pension to Theodore T. Bruce—to the Committee on Invalid Pensions.

By Mr. CURRIER: a bill (H. R. 9290) granting an increase of pension to Henry Sanborn—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of citizens of Boston of the Jewish faith, praying that Congress remonstrate against treatment of the Jews in Kishineff, in Russia—to the Committee on Foreign Affairs.

By Mr. FITZGERALD: Resolution of the Manufacturers' Association of New York, in favor of the further improvement of the channels of Brooklyn water front—to the Committee on Rivers and Harbors.

By Mr. GUDGER: Papers to accompany claim of Enoch Voyles—to the Committee on War Claims.

By Mr. HEMENWAY: Petition of John K. Highman Post, No. 415, Grand Army of the Republic, of New Harmony, Ind., urging passage of the Hemenway service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Harrow Post, No. 491, Grand Army of the Republic, Mount Vernon, Ind., favoring passage of Hemenway service-pension bill—to the Committee on Invalid Pensions.

Also, petition of William C. Jackson Post, No. 332, Grand Army of the Republic, of Dale, Ind., favoring passage of Hemenway service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of William C. Jackson Post, No. 332, Grand Army of the Republic, of Dale, Ind., favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: Resolutions of Jonathan Casto Post, No. 342, Grand Army of the Republic, Blanchester, Ohio; Walker Jackson Post, No. 713, Grand Army of the Republic, Ripley, Ohio; Jesse Ellis Post, No. 740, Grand Army of the Republic, Batavia, Ohio; E. L. Hughes Post, No. 640, Grand Army of the Republic, Breford, Ohio; Granville Thurston Post, No. 213, Grand Army of the Republic, Lebanon, Ohio; Burkholder Post, No. 115, Grand Army of the Republic, Yellow Springs, Ohio, and Strong Post, No. 118, Grand Army of the Republic, Jamestown, Ohio, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LORIMER: Papers to accompany bill granting increase of pension to Louis P. Berry—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: Paper to accompany bill granting a pension to John Salmon—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Charles R. Van Trees—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 6650, granting an increase of pension to Eli B. Helm—to the Committee on Invalid Pensions.

By Mr. OTJEN: Resolution of Old Guard Post, No. 211, Grand Army of the Republic, Department of Wisconsin, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Watertown (Wis.) Council, No. 247, Commercial Travelers of America, in favor of the passage of bill H. R. 4489, providing for an amendment to the bankruptcy act—to the Committee on the Judiciary.

By Mr. RUPPERT: Resolution of the Manufacturers' Association of New York, urging a continuation of the improvement of the channels in the harbors of the Brooklyn water front—to the Committee on Rivers and Harbors.

Also, papers to accompany House bill granting increase of pension to Joseph Leonard—to the Committee on Invalid Pensions.

By Mr. SNOOK: Papers to accompany bill H. R. 9025, granting a pension to Sara Kyle—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting increase of pension to John F. Shaffner—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting increase of pension to Price W. Harvey—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting increase of pension to James H. Sackett—to the Committee on Invalid Pensions.

Also, resolution of Capper Post, No. 236, Grand Army of the Republic, Department of Ohio, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. SULZER: Resolution of the executive committee of the Supervisors' Highway Convention at Albany, N. Y., favoring passage of the Brownlow bill, providing for road improvement—to the Committee on Agriculture.

Also, resolution of the Manufacturers' Association of New York, urging further improvement of the channels of the Brooklyn water front—to the Committee on Rivers and Harbors.

SENATE.

FRIDAY, January 8, 1904.

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection.

FINDINGS BY THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Carrie Yancy, administratrix of A. W. McCauley, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Jennie E. Haller, administratrix of Samuel M. Haller, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

FRENCH SPOILIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel sloop *Venus*, Comfort Bird, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Thomas*, Joseph Sanford, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

NATIONAL ACADEMY OF SCIENCES.

Mr. WETMORE. I present the annual report of the National Academy of Sciences, as required by statute. The same statute provides for the printing of the report, so that no action by the Senate is necessary.

The PRESIDENT pro tempore. The report will be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the legislature of Nebraska, praying for the enactment of legislation to establish the true military status of the First Nebraska Militia; which was referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA, State of Nebraska:

I, George W. Marsh, secretary of state of the State of Nebraska, do hereby certify that the within is a full, true, and complete copy of a joint resolution passed by the legislature of the State of Nebraska at its twenty-eighth session, as the same appears of record in my office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Nebraska. Done at Lincoln, this 5th day of January, in

the year of our Lord 1904, of the independence of the United States the one hundred and twenty-eighth and of this State the thirty-seventh.

[SEAL.] GEO. W. MARSH, *Secretary of State.*

[Legislature of Nebraska, twenty-eighth session. Senate file No. 34.]

A bill for a concurrent resolution memorializing Congress to establish the true military status of the First Nebraska Militia. Introduced by Mr. Sheldon. Read first time January 14, 1903. Read second time January 15, 1903. Referred to committee on military affairs.

Be it enacted by the legislature of the State of Nebraska:

Whereas during the year 1884 the governor of the then Territory of Nebraska was authorized and requested by the Secretary of War to raise additional volunteer troops in the then Territory of Nebraska for the purpose of protecting the people of our frontier against the "public enemy" of the United States; and

Whereas at that time the United States Government was engaged in suppressing insurrection among the States, putting down the rebellion of the so-called Confederate States, and had insufficient force to protect the frontier against Indians and other public enemies; and

Whereas, as an inducement to the States and Territories bounded by the western frontier to raise troops for its defense, on behalf of the Government of the United States, Congress, by an act approved July 27, 1866, recognized the liability of the Government for services thus rendered and reimbursed the said Territory of Nebraska, with other States and Territories, for moneys paid out in equipping and maintaining troops so employed in defending our frontier against the public enemy; and

Whereas, under and in pursuance of a great public emergency, the Territory of Nebraska called out and placed in the field four companies of mounted men and a detachment of artillery for the public defense, known as the First Regiment of Nebraska, which was armed, fed, and equipped by the Government of the United States; and

Whereas said detachment of troops was raised and equipped for the benefit of the United States Government and was called into service for the defense of the country against the public enemy; and

Whereas said body of troops, known as the First Regiment of Nebraska Militia, was mustered into the service by order and under direction of the United States Government and was placed under the command of the military officers of the United States then in the field, and was subject to the orders and discipline of the military officers of the United States, and was so used and employed by the United States authorities in defending the public frontier, and was taken and transported by the United States Government and its military officers into other States and Territories and there required to render the ordinary and complete military service of volunteers of the United States Army in the defense of the Government and its property in time of war; and

Whereas said military organization at the completion of its term of service, to wit, on or about the 1st day of January, 1893, was "mustered from the service of the United States by reason of the expiration of the term of service;" and

Whereas said military organization rendered all the service and performed all the duties of the regular volunteer troops of the United States raised and mustered into the service by order of the President of the United States and by authority of Congress; and

Whereas said military organization has been denied its proper status as volunteers of the United States and has not been recognized as regular volunteers of the United States:

Be it resolved by the legislature of the State of Nebraska. That Congress is respectfully urged to enact such legislation as will establish the military status of said military organization, recognizing the same as regular volunteers of the United States, and that the Senators and Representatives from the State of Nebraska in Congress be requested to use all proper means to secure to the said military organization their status as volunteers of the United States Army of the war of the rebellion.

EDMUND G. MCGILTON,
President of the Senate.

Attest:

A. R. KEIM,
Secretary of the Senate.

JOHN H. MOCKETT, JR.,
Speaker of House of Representatives.

Attest:

JOHN WALL,
Chief Clerk of House of Representatives.

Approved February 27, 1903.

JOHN H. MICKEY,
Governor.

STATE OF NEBRASKA, ss:

I, A. R. Keim, secretary of senate, hereby certify that the within bill originated in the senate and passed the legislature on the 25th day of February, 1903.

A. R. KEIM, *Secretary of Senate.*

Mr. FAIRBANKS presented a memorial of the Indiana Fraternal Congress, of Indianapolis, Ind., remonstrating against the enactment of legislation to amend sections 3894 and 3929 of the Revised Statutes and the first section of the act of Congress of March 2, 1895, of chapter 191, relative to the suppression of fraudulent insurance companies; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorial of W. T. Meldott, of Melott, Ind., and the memorial of A. S. Peacock and sundry other citizens of Attica, Ind., remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Central Labor Union, American Federation of Labor, of Indianapolis, Ind., praying for the passage of the so-called eight-hour bill and also the anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Goshen: of the congregation of the Baptist Church of Goshen; of the Ladies' Missionary Society of the Methodist Episcopal Church of Decatur; of the congregation of the First Methodist Episcopal Church of Goshen; of the congregation of the Methodist Episcopal Church of Frankfort; of the congregation of the Christian Church of Frankfort; of the Woman's Missionary Society of Frankfort;

of the Woman's Home Missionary Society of the Grace Methodist Episcopal Church, of Kokomo, and of sundry citizens of Logansport, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURROWS presented a petition of the Woman's Home Missionary Society of the Methodist Episcopal Church of Cincinnati, Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PROCTOR presented petitions of the congregation of the Methodist Episcopal Church of Bellows Falls; of the congregations of the Congregational, Baptist, and Methodist Episcopal churches of Georgia, and of the congregations of the Methodist Episcopal and Congregational churches, the Home Mission Society, the Literary Club, and the Woman's Relief Corps, all of Swanton, in the State of Vermont, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. WETMORE presented a petition of the Woman's Christian Temperance Union of Central Falls, R. I., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. COCKRELL presented a petition of the board of directors of the Merchants' Exchange of St. Louis, Mo., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. BAILEY presented memorials of Lodge No. 20, of Shiner; of the Deutsch Texanischer Freundschaftsbund, of Galveston, and of Teutonic Lodge, No. 21, of New Braunfels, all in the State of Texas, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. LONG presented a petition of the Loyal Temperance Union of the Seventh district of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Goodland, Kans., and a petition of the congregation of the Methodist Episcopal Church of Newton, Kans., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented sundry papers to accompany the bill (S. 1795) granting an increase of pension to Leander Smith; which were referred to the Committee on Pensions.

Mr. QUAY presented petitions of the congregation of the First Presbyterian Church of McKeesport; of the Twentieth Century Club, of Berwick; of sundry citizens of Newcasttle, and of the Christian Endeavor Society of the Emmanuel Methodist Episcopal Church, of Philadelphia, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CLAPP presented petitions of the congregation of the Christian Church of Rochester; of the congregation of the Christian Church of Pleasant Grove; of the congregation of the First Methodist Episcopal Church of Rochester; of the congregation of the Bethlehem Presbyterian Church, of Minneapolis; of the congregation of the Presbyterian Church of Greenleaf; of the congregation of the Presbyterian Church of Cedar Mills, and of the Ladies' Missionary Society of Maine, all in the State of Minnesota, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented sundry papers to accompany the bill (S. 1556) granting an increase of pension to Daniel P. Andrus; which were referred to the Committee on Pensions.

Mr. LODGE presented petitions of sundry citizens of Gardner, Taunton, Fitchburg, Lynn, Bedford, Brookline, and Somerville, and of the congregation of the Methodist Episcopal Church of Hyde Park, all in the State of Massachusetts, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CARMACK presented petitions of the Tuesday Club, of Maryville; of the New Providence Missionary Society, of Maryville, and of the congregation of the New Providence Church, of

Maryville, all in the State of Tennessee, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. OVERMAN presented a petition of the Woman's Christian Temperance Union of Elizabeth City, N. C., and a petition of the Woman's Christian Temperance Union of Raleigh, N. C., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HEYBURN presented a memorial of the city council of Wallace, Idaho, remonstrating against the repeal of the stone and timber law; which was referred to the Committee on Public Lands.

Mr. ALDRICH presented petitions of American Council, No. 20, Order of United American Mechanics; the Young Woman's Christian Temperance Union; the Mount Pleasant Baptist Young People's Association; the Young People's Society of Christian Endeavor; the congregation of the Academy Avenue Congregational Church; the Young People's Society of Christian Endeavor of the Roger Williams Baptist Church; the Mount Pleasant Woman's Christian Temperance Union; the congregation of the Mount Pleasant Baptist Church, and the Loyal Women of American Liberty, all of Providence; of the congregation of the First Baptist Church; the St. Luke's Sunday school; the Sunday school of the Swedish Evangelical Lutheran Church; the congregation of the Swedish Lutheran Church; the Swedish Congregational Sunday school; the Methodist Episcopal Sunday school, and the Epworth League, all of East Greenwich; of What Cheer Council, No. 9, Order of United American Mechanics, the congregation of the Methodist Episcopal Church, and the congregation of the First Baptist Church, all of Wickford; of the congregation of the People's Free Baptist Church, of Auburn; of the Sunday school of the People's Free Baptist Church, of Auburn; of Coventry Council, No. 29, Order of United American Mechanics, of Washington; of the Woman's Christian Temperance Union of Charlestown; of the congregation of the Free Baptist Church of Pascoag; of the Woman's Christian Temperance Union of Warwick; of the Avondale Sunday school, of Westerly; of the congregation of the Congregational Church of Kingston; of the congregation of the Advent Christian Church, of North Scituate; of the congregation of the Six Principle Baptist Church, of Scituate; of the Woman's Christian Temperance Union of Portsmouth; of the congregation of St. John's Church, of Portsmouth; of the congregation of the Christian Church of Portsmouth; of the congregation of the Methodist Episcopal Church of Portsmouth; of the Woman's Christian Temperance Union of Pawtucket; of the Woman's Christian Temperance Union of Newport; of the Moshassuck Woman's Christian Temperance Union, of Lincoln; of the Woman's Christian Temperance Union of Georgiaville; of the congregation of the Free Baptist Church of Georgiaville; of the congregation of the Universalist Church of Georgiaville; of the Globe Congregational Church; of the Young Woman's Christian Temperance Union of Woonsocket; of the congregation of the Congregational Church of Westerly; of the Free Baptist Church of Warwick; of the Young People's Society of Christian Endeavor of Warwick; of the Methodist Episcopal Church of Centerville; of the Methodist Episcopal Mission Sunday school of Arctic Center; of the Rocky Hill Sunday school, of Warwick; of the Woman's Christian Temperance Union of Warren; of the Methodist Episcopal Church of Wakefield; of the Woman's Christian Temperance Union of Wakefield, and of the State Woman's Christian Temperance Union, all in the State of Rhode Island, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FRYE presented a memorial of St. Peter's Benevolent Society, of Lindsay, Tex., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregations of the Central Presbyterian Church and the Lake Avenue Baptist Church, of Rochester, N. Y., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

EXPOSITION AT PORTLAND, OREG.

Mr. MITCHELL. I present a joint memorial of the legislature of Oregon relative to the holding of a national and international exposition in Portland, Oreg., to celebrate the one hundredth anniversary of the exploration of the Oregon country, to be known as the Lewis and Clark Centennial Exposition. I ask that the joint memorial may be read and referred to the Select Committee on Industrial Expositions.

The joint memorial was read, and referred to the Select Committee on Industrial Expositions, as follows:

Senate joint memorial No. 1.

*To the Senate and House of Representatives
of the United States in Congress assembled:*

Your memorialist, the legislative assembly of the State of Oregon, respectfully represents:

Whereas a national and international exposition will be held in the city of Portland, Oreg., from May 1 to November 1, 1905, to celebrate the one hundredth anniversary of the exploration of the Oregon country (comprising all of the present States of Oregon, Washington, and Idaho, and parts of Montana and Wyoming) by an expedition commanded by Capt. Meriwether Lewis and William Clark, of the United States Army;

Whereas the exploring expedition of Lewis and Clark was conceived by Thomas Jefferson, President of the United States, as part of his well-defined purpose to establish commercial communication with Asia through the heart of our own continent, to the accomplishment of which purpose President Jefferson devoted some of the best years of his life;

Whereas President Jefferson's plan to locate an American settlement on the northwest coast of North America was the first step of the United States toward continental expansion. It was proposed while Jefferson was yet United States minister to France, fully twenty years before any official of the Government of the United States had given thought to the idea of acquiring any territory west of the Mississippi, except the island of Orleans at the mouth of said river;

Whereas the discovery of the Columbia River by Capt. George Gray and the exploration of Lewis and Clark added to the national domain the Oregon country, comprising 307,000 square miles. The acquisition of Oregon preceded, by over forty years, the annexation of California, to which it was a contributory cause, and of Texas, to which it was closely allied in American political policy. The subsequent acquisitions of Alaska, Hawaii, and the Philippines were results of the acquisition of Oregon. As a consequence of the expansion movement inaugurated by President Jefferson when he proposed to establish an American settlement on the Pacific northwest coast, nearly 2,900,000 square miles were added to the domain of the United States in the nineteenth century;

Whereas, properly to celebrate the important epoch in American history in which Jefferson, Lewis, and Clark are the foremost figures, the city of Portland has incorporated a stock company, with \$500,000 capital, to carry on the Lewis and Clark Centennial Exposition, heretofore mentioned in this joint memorial;

Whereas the State of Oregon, as the State retaining and perpetuating the name of the country toward which President Jefferson, in planning commercial communication with Asia, directed the footsteps of Lewis and Clark one hundred years ago, has appropriated \$400,000 to pay the cost of collecting and installing its exhibits, and has appropriated the further sum of \$50,000 toward the cost of constructing a Lewis and Clark memorial building, as a monument to commemorate the achievements of America's first and greatest explorers;

Whereas, recognizing the national significance of said Lewis and Clark Centennial Exposition and its value as an expositor of the advancement of the trans-Mississippi West, and as showing the true relation of the United States to its new trade field on the shores of the Pacific Ocean, the States of Missouri, Minnesota, North Dakota, Washington, California, Utah, Idaho, and Montana have, through their legislatures, voted to participate and have made provision for State exhibits of an aggregate value of \$1,000,000, including the exhibit of the State of Oregon;

Whereas there is now pending in the Congress of the United States a bill entitled "A bill to provide for the celebration of the one hundredth anniversary of the exploration of the Oregon country by Capt. Meriwether Lewis and William Clark during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806; and to authorize a commission representing the United States to hold at the city of Portland, in the State of Oregon, a national, international, and oriental exhibition of arts, industries, manufactures, and the products of the rivers, soil, mine, forest, and sea in said State; and to provide and assist in the erection of a memorial building in said city of Portland, to be known as the Lewis and Clark Memorial Building; and to authorize an appropriation for all said purposes;"

Whereas said bill above referred to appropriates the sum of \$2,125,000 for the purpose of defraying the cost of exhibits to be made by and under the supervision and direction of the United States;

Wherefore the legislative assembly of the State of Oregon memorializes the Congress of the United States to enact into law, at the earliest practicable moment, the pending bill providing for Government participation in the Lewis and Clark Centennial Exposition, and making an appropriation therefor.

The legislative assembly of the State of Oregon specially sets forth to the Congress of the United States that the Lewis and Clark Centennial Exposition will be representative in every respect of the tremendous progress and development of the great West in the century just past, and, as an undertaking of so far-reaching a character, merits the full measure of cooperation and support from the National Government. The Pacific coast, notwithstanding the large and important part it has played in the upbuilding of the nation, and in rounding it out in its fullness as a world power, never has been favored with a Government appropriation for an exposition. Over its shores the American flag waved in its first journey around the world from Boston and return, by way of the Columbia River and China. The humble fort that Lewis and Clark built at Clatsop in the winter of 1805 gave the United States its first foothold upon the Pacific Ocean—that theater of the world's new activities—and paved the way for the expansion that has increased the national domain from 827,000 square miles in 1783 to 3,727,000 square miles in 1903. The philosophy that taught President Jefferson that the mountain chain feeding so considerable a river as the Missouri on the east must be the source of another large stream flowing westward opened the path of civilization to the Pacific, and provided, through our own country, the route to India which was for centuries the dream and hope of every navigator from Columbus down to recent times. At the Columbia River, San Francisco Bay, Puget Sound, Honolulu, and Manila, the United States is fortified to occupy in war or in peace the high station in the council of nations to which events in the Pacific have called it. Having faithfully discharged to the nation every obligation imposed upon it as an integral part of the Union, or falling to it by reason of its environment; having in time of war responded to every call made upon it for the national defense; and having in time of peace poured forth its wealth of mine, farm, and range for the general welfare, the Pacific coast now asks from Congress, in the matter of the Lewis and Clark Centennial Exposition, the consideration which its past service to the nation and the merit of its cause deserve.

The secretary of state of the State of Oregon is hereby instructed to forward certified copies of this joint memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United

States, at Washington, D. C., and to the Senators and Representatives in Congress from the State of Oregon.

L. T. HARRIS,
Speaker of the House.
GEO. C. BROWNELL,
President of the Senate.

Indorsed: Senate joint memorial No. 1. Introduced by Senator Brownell.
Adopted by the senate December 21, 1903.

S. L. MOREHEAD, *Chief Clerk.*

Read and adopted in house December 22, 1903.

A. C. JENNINGS, *Chief Clerk.*

Filed December 29, 1903, 11.30 a. m.

F. I. DUNBAR, *Secretary of State.*

UNITED STATES OF AMERICA, STATE OF OREGON,

Office of the Secretary of State:

I, F. I. Dunbar, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that the foregoing is a full, true, and complete copy of senate joint memorial No. 1, adopted by the special session of the legislative assembly of 1903, as the same is now on file in this office.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol, at Salem, Oreg., this 30th day of December, A. D. 1903.
[SEAL.] F. I. DUNBAR, *Secretary of State.*

RURAL FREE-DELIVERY SERVICE.

Mr. MITCHELL presented a memorial of the legislature of Oregon, praying for the enactment of legislation to increase the compensation of rural free-delivery letter carriers; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed in the RECORD, as follows:

Senate joint memorial No. 2.

To the honorable Senate and House of Representatives of the United States:

Whereas the Congress of the United States has heretofore enacted certain laws whereby the citizens of the several States of the Union residing in rural districts are, by reason of the rural free delivery, daily receiving their mail delivered at their homes; and

Whereas the present compensation fixed by law for the letter carriers of the rural free-delivery routes is but \$600 per annum; and

Whereas said compensation is inadequate for the time employed and outlay required to properly equip a person for such service: Therefore,

Resolved, That, in justice to the rural letter carriers of the United States, Congress should pass a law increasing compensation of such carriers to an amount not less than \$800 per annum.

Be it further resolved, That this memorial be forwarded to our Senators and Representatives in Congress, with the request that they present the same and urge the immediate passage of a law in accordance therewith.

Adopted by the senate December 22, 1903.

GEO. C. BROWNELL,
President of the Senate.

Adopted by the house December 23, 1903.

L. T. HARRIS, *Speaker of the House.*

Indorsed: Senate joint memorial No. 2.

S. L. MOREHEAD, *Chief Clerk.*

Filed December 29, 1903, 11.30 a. m.

F. I. DUNBAR, *Secretary of State.*

UNITED STATES OF AMERICA,

State of Oregon, Office of the Secretary of State:

I, F. I. Dunbar, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that the foregoing is a full, true, and complete copy of senate joint memorial No. 2, adopted by the special session of the legislative assembly of 1903, as the same is now on file in this office.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol, at Salem, Oreg., this 30th day of December, A. D. 1903.
[SEAL.] F. I. DUNBAR, *Secretary of State.*

MISSOURI RIVER IMPROVEMENT.

Mr. STONE. On November 20 I presented a petition of citizens of St. Louis County, Mo., praying that an appropriation be made to protect lands from destruction by the Missouri River, and it was referred to the Committee on Appropriations. It seems that that committee thinks it has not jurisdiction over the matter. I now present the petition at the instance of that committee, and move that it be discharged from its further consideration and that it be referred to the Committee on Commerce. The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 2435) to amend an act to regulate the height of buildings in the District of Columbia, reported it without amendment.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2133) to change the name of Madison street to Samson street; and

A bill (S. 1958) for the opening of a street in Mount Pleasant, District of Columbia.

Mr. STEWART, from the Committee on the District of Columbia, to whom was referred the bill (S. 2794) to amend an act entitled "An act to amend an act entitled 'An act relating to tax sales and taxes in the District of Columbia,'" approved May 13, 1892, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2525) authorizing the purchase of sites for buildings for the

accommodation of the Interior, Treasury, and War Departments of the United States, the District of Columbia, and for other public purposes, in connection with removing the Botanic Garden fence and improving the grounds, together with the development and encouragement of ramie-fiber, silk, and flax preparation and manufacture and their production and profitable home market in the United States, under the supervision of the Secretary of the Treasury, reported adversely thereon; and the bill was postponed indefinitely.

Mr. FOSTER of Washington, from the Committee on the District of Columbia, to whom was referred the bill (S. 2318) to change the name of Fourth street NE., north of T street, in the city of Washington, D. C., to University avenue, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. CLAPP, from the Committee on Patents, to whom was referred the bill (S. 2229) to amend chapter 4952 of the Revised Statutes, reported it without amendment, and submitted a report thereon.

Mr. SIMMONS, from the Committee on the District of Columbia, to whom was referred the bill (S. 2621) for the widening of V street NW., reported it with amendments, and submitted a report thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. GALLINGER introduced a bill (S. 3192) for the relief of the State of New Hampshire; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3193) to transfer to the Secretary of the Interior such supervision of the Government Hospital for the Insane, Freedmen's Hospital and Asylum, and the Washington Hospital for Foundlings as may have been conferred upon the Board of Charities of the District of Columbia under the act approved June 6, 1900, creating such board; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PROCTOR introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3194) granting an increase of pension to Stephen Gilbert (with accompanying papers);

A bill (S. 3195) granting an increase of pension to Peter Duclow; and

A bill (S. 3196) granting a pension to Alma L. Aldrich (with an accompanying paper).

Mr. MALLORY introduced a bill (S. 3197) for the relief of H. H. Thornton and Ben D. Rochblave; which was read twice by its title, and referred to the Committee on Claims.

Mr. CLAPP introduced a bill (S. 3198) granting an increase of pension to Samuel D. Reynolds; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3199) for the relief of A. M. Short; which was read twice by its title, and referred to the Committee on Claims.

Mr. SCOTT introduced a bill (S. 3200) for the relief of the trustees of Trinity Episcopal Church, of Martinsburg, W. Va.; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 3201) granting an increase of pension to James I. Shafer; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of James I. Shafer for increase of pension, together with his affidavit and the affidavits of Dr. H. H. Taylor and E. R. Wells and letter from the War Department. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 3202) granting an increase of pension to John S. Bicket; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of John S. Bicket for increase of pension, together with the affidavits of Dr. J. J. Hodges, George W. Laurance, and J. W. Nimmo. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. BAILEY (by request) introduced a bill (S. 3203) granting an increase of pension to George W. Foster; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 3204) permitting the Kiowa, Chickasha and Fort Smith Railway Company to sell and convey its railroad and other property in the Indian Territory to the Eastern Oklahoma Railway Company, and the Eastern Oklahoma Railway Company to lease all its railroad and other property in the Indian Territory to the Atchison, Topeka and Santa

Fe Railway Company, and thereafter to sell its railroad and other property to said the Atchison, Topeka and Santa Fe Railway Company; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. LONG introduced a bill (S. 3205) authorizing the Secretary of the Interior to acquire the title to lands within certain Indian reservations; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BERRY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3206) for the relief of the estate of Samuel J. Jones, deceased (with an accompanying paper);

A bill (S. 3207) for the relief of the heirs of James C. Lipscomb;

A bill (S. 3208) for the relief of William H. Roach; and

A bill (S. 3209) for the relief of James Erwin.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3210) granting an increase of pension to Hiram P. Housel (with an accompanying paper);

A bill (S. 3211) granting an increase of pension to Samuel M. Graham (with an accompanying paper);

A bill (S. 3212) granting an increase of pension to Lovisa Morrison (with an accompanying paper); and

A bill (S. 3213) granting a pension to Mark Grosh (with an accompanying paper).

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3214) for the relief of the Germantown Baptist Church, of Shelby County, Tenn. (with an accompanying paper);

A bill (S. 3215) for the relief of the trustees of the Baptist Church of Jefferson City, Tenn.;

A bill (S. 3216) for the relief of James S. McDonogh, Harry A. Hegarty, and James A. Toomey, of the District of Columbia; and

A bill (S. 3217) for the relief of John Conner, sr.

Mr. NELSON introduced a bill (S. 3218) for the relief of Civil Engineer P. C. Asserson, retired; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. KITTREDGE introduced a bill (S. 3219) to revise the laws of the United States relating to trade-marks; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 3220) to regulate and protect marks, trade-marks, commercial names, and symbols used in commerce, and to enforce treaties regarding the same; which was read twice by its title, and referred to the Committee on Patents.

Mr. DOLLIVER introduced a bill (S. 3221) to reimburse the legal heirs of the late John George Bauer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 3222) to remove the charge of desertion against James Boyle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. LODGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3223) for the relief of the States of Massachusetts and Maine; and

A bill (S. 3224) for the relief of Jeremiah Shea or his legal representatives.

Mr. LODGE introduced a bill (S. 3225) authorizing the Secretary of State to reimburse the Compagnie Française des Câbles Télégraphiques for expenses incurred in repairing its cables and property which were cut and damaged by United States forces in Cuba during the Spanish-American war; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3226) granting a pension to Charles H. Jackson (with accompanying papers); and

A bill (S. 3227) granting a pension to James F. Mears (with accompanying papers).

Mr. LODGE introduced a bill (S. 3228) making it a felony to make impressions or counterfeit the great seal of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3229) granting a pension to Anna M. Hawes;

A bill (S. 3230) granting an increase of pension to David Lanpher;

A bill (S. 3231) granting an increase of pension to John Nichols; and

A bill (S. 3232) granting an increase of pension to William O. Gould.

Mr. BACON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3233) for the relief of George H. Hogan;

A bill (S. 3234) for the relief of the heirs of William Wesley Turner, deceased; and

A bill (S. 3235) for the relief of the heirs of Elias Weaver.

Mr. BACON introduced a bill (S. 3236) granting a pension to John McDermid; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. LATIMER introduced a bill (S. 3237) for the relief of Mrs. Jane A. Sanders; which was read twice by its title, and referred to the Committee on Claims.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3238) granting an increase of pension to Jacob B. Getter; and

A bill (S. 3239) granting an increase of pension to George W. D. Buchanan (with the accompanying papers).

Mr. PENROSE introduced a bill (S. 3240) for the relief of Galatly, Hankey & Co.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Foreign Relations.

Mr. KEARNS introduced a joint resolution (S. R. 28) authorizing the printing of additional copies of Agricultural Bulletin No. 124, being a report on irrigation in Utah; which was read twice by its title, and referred to the Committee on Printing.

CANAL ACROSS ISTHMUS OF DARIEN.

Mr. SCOTT introduced a joint resolution (S. R. 29) providing for a board to investigate the practicability of constructing a canal across the Isthmus of Darien; which was read twice by its title.

Mr. SCOTT. Mr. President, I am going to ask to have the joint resolution referred to the Committee on Inter-oceanic Canals, and in doing so I wish to say that on Thursday, February 6, 1903, I took occasion to deliver a few remarks upon the choice of a route for building a canal across the Isthmus of Panama to connect our two great oceans. My contention was then, and is yet, that the route this canal should take is what is known as the "Darien" or "San Blas" route. Upon that occasion I cited many reasons why the canal should be built at this point. There are many reasons why the arguments and contentions that I then offered still hold good in the location of the route for building the canal. As then cited, the length of this canal would only be 30 miles, with no locks to build to prevent the passage of ships. This passage could be made in five hours at a speed of 6 miles an hour, or ten hours at the very slow speed of 3 miles an hour.

In this day of electricity there would be no trouble, Mr. President, in using electric towboats for taking ships through the tunnel at a greater rate of speed than 10 miles an hour, but I take it for granted that no higher rate of speed would be desirable. To me the contention of some that it is an impossibility to build the canal by this route on account of having to make a tunnel through the Cordilleras Mountains is absurd. I feel sure that the merits of this route have never been thoroughly investigated by engineers or by Senators or there would be no question of the building of a sea-level canal with a tidal raise between the two oceans of about 21 inches. This would be sufficient to clear the canal of offensive matter and keep it pure, and certainly no one will dare to say that if a sea-level canal can be built that it is not the one we want.

Mr. BACON. As there has been recently some change in the map, will the Senator permit me in this connection to ask him where this canal would now be located? Would it be in the new State of Panama?

Mr. STEWART. Certainly.

Mr. BACON. It would still be in Panama?

Mr. STEWART. In old Panama, 150 or 200 miles from Colombia.

Mr. BACON. Is the Senator from Nevada correct, I will ask the Senator from West Virginia?

Mr. SCOTT. I will answer as far as I know, if the Senator will allow me to finish the very brief statement I have to make.

Mr. BACON. All right.

Mr. SCOTT. Mr. President, to say that this tunnel can not be successfully made wide enough and high enough to admit of the passage of the largest ocean steamers as well as our largest battle ships is, in my judgment, an insult to the intelligence and advancement of the engineering skill of our people. We have

the evidence of some of the best engineers who have given thought to the question that canals can not be made to work successfully where they depend upon locks and dams and where the rainfall must give sufficient water to enable ships to pass through. We know that in that tropical country the rainfall is something like what we would call waterspouts in our country, coming down in torrents and running down the mountain sides, carrying sediment and soil, which would in a short time fill a canal and would constantly require the attention of the Government, at a very heavy expense, to keep sufficient depth of water to permit the passage of ships.

I fear that in my advocacy of the Darien canal route I am liable to be criticised on the ground that I am simply doing this to prevent the building of any canal or for the purpose of retarding an early commencement and completion of a canal. This I emphatically deny. I have been all my life, from my early manhood, a believer in a canal between the two oceans and have always been anxious to see this Government build one; but when we go to the enormous expense that a canal will cost us we want to feel assured that when completed we have what we want, and that is a perfect waterway between the two great oceans; and, as I said before, in my judgment there is no practicable way except a sea-level canal, and there is no other route except the one that I am advocating by which a sea-level canal can be built.

I therefore have offered the foregoing resolution. I would ask, Mr. President, that it go to the Committee on Inter-oceanic Canals, and I further ask that that committee give it prompt consideration with the documents that I submit herewith to accompany the resolution, and that at least they report back to the Senate in as short a time as possible their conclusions after a careful consideration of this subject.

The PRESIDENT pro tempore. The joint resolution will be referred, with the accompanying papers, to the Committee on Inter-oceanic Canals.

WITHDRAWAL OF PAPERS.

On motion of Mr. FORAKER, it was

Ordered, That leave be granted to withdraw the papers on file in the office of the Secretary of the Senate in connection with a bill (S. 5413, 57th Cong., 1st sess.) granting a pension to Frank V. Lewis, there having been no adverse report on said bill.

Ordered, That leave be granted to withdraw the papers on file in the office of the Secretary of the Senate in connection with a bill (S. 1917, 57th Cong., 1st sess.) for the relief of William Welsh, there having been no adverse report on said bill.

ROADS AND ROAD BUILDING.

Mr. LATIMER submitted the following resolution; which was read:

Resolved, That the Secretary of Agriculture be, and he is hereby, directed to furnish the Senate such information as he may have relative to the cost of constructing public roads in the United States and in foreign countries, and such other information on the subject of roads and road building as may be of use in considering the subject of highway improvement.

Mr. LATIMER. I desire that the resolution shall lie on the table subject to my call, and I wish to take the floor next Thursday and address the Senate on the subject.

Mr. BEVERIDGE. What is the resolution about?

Mr. LATIMER. Roads.

Mr. HALE. The Senator does not intend to include railroads?

Mr. LATIMER. No, sir; dirt roads.

The PRESIDENT pro tempore. The Senator from South Carolina asks that the resolution shall lie on the table subject to call, and gives notice that on Thursday he will desire to address the Senate on it. Is there objection? The Chair hears none, and it is so ordered.

POST-OFFICE DEPARTMENT INVESTIGATION.

The PRESIDENT pro tempore. The Chair lays before the Senate all of the resolutions relating to an investigation of the Post-Office Department and all amendments offered to the same.

Mr. SIMMONS. Mr. President, this debate upon the resolutions which have been introduced has gone far enough to disclose the fact that the majority in this body do not intend that there shall be any investigation by a committee of this body of the scandals and frauds which have taken place in the Post-Office Department.

Now, it is a very easy matter to find a reason—I might say a plausible reason—for any position which the exigencies of politics make necessary or expedient. The reasons which have been assigned by the majority why an investigation of these frauds and scandals should not be made by a committee of Congress are threefold.

First, we have been told that at best a Congressional committee is a bungling piece of machinery for the investigation of such transactions.

Secondly, we are told that no further investigation is necessary.

A third reason assigned, though it has not been insisted upon since it was first promulgated because its untenability was too apparent, I suppose, is that an investigation by a Congressional

committee would be in the open, and it would furnish to the accused not only the charge, but the evidence, and enable him to prepare to meet that charge and that evidence.

Mr. President, as I said before, it is clearly the purpose of the majority in this body not to permit a Congressional investigation, and when these resolutions come back from the committee—if they ever do come back, and I suppose they may in some modified form—if they shall provide for anything like a thorough and complete investigation into the misdoings in the Post-Office Department, that resolution, I say, will be, in my judgment, defeated by the practically unanimous vote of the other side in this Chamber.

But it will not be defeated, Mr. President, because a Congressional investigating committee is a bungling tribunal for such investigations; it will not be defeated because no further investigation is needed in these transactions; and it will not be defeated because of any fear that the accused in the indictments which have been found will be given an opportunity to know the charge made against them and to meet the testimony upon which the Government relies; but the proposed investigation will be refused because the majority in this Chamber do not want any further investigation into the scandals and frauds of the Post-Office Department, and because they do not intend that there shall be any further investigation into those frauds and scandals upon the eve of a Presidential campaign and election.

Mr. President, we are told that we must not have an investigation by a committee of this body because it is a bungling, inefficient, and inadequate method of investigating such transactions. Congressional investigations have been in vogue in this country since the foundation of the Government. They are popular with the people. While they have not always served as the best possible machinery for such investigations, they have upon repeated occasions been the means of developing frauds and scandals and bringing the guilty to justice.

The people, I say, like this method of investigation. These inquiries are made in the open; they are not ex parte inquiries; and only in a limited sense are they partisan inquiries, for investigating committees are nearly always, I believe always, composed of representative members of both political parties.

The fact that Congressional investigations have probably been resorted to more frequently in our recent than in our remote past proves not only that they are a popular method of investigation in the public service, but that they are a reasonably efficient and adequate method for such investigations.

Mr. President, I am very glad that the junior Senator from Massachusetts [Mr. LODGE], who first made objection to this investigation, feeling the force of the answers made to his position, felt called upon—no, I will not say felt called upon, but saw fit to modify and define his original position.

I now understand the Senator from Massachusetts as contending that nothing is involved in these investigations except crime and its punishment, and that therefore the Post-Office Department, aided by the Department of Justice, is the proper tribunal to make these investigations; that no matters of legislation are involved, and therefore there is no necessity for Congressional investigation. This, I think, is too limited a view of the subject, but it is evidently the view taken by the Post-Office Department and the Administration.

Let me read from Mr. Bristow's report on page 11. In the very first paragraph of his report to the Postmaster-General, Mr. Bristow says:

SIR: As directed by you on March 7, 1903, I have endeavored to make a thorough investigation of the alleged irregularities in the following-named divisions of the Post-Office Department: The Division of Supplies, the office of the Assistant Attorney-General, the Division of Money Orders, the Division of Free Delivery, and the Division of Salaries and Allowances, and I beg to submit the following report.

He was directed by his superior to make an investigation into the irregularities—I suppose that word is sufficiently broad, however, to include crimes—not in the whole Post-Office Department, not in every division of any branch of the Post-Office Department, but he was directed to make an investigation into the irregularities in one branch of the Post-Office Department, and in only four divisions of that branch.

I have taken the pains to read this report of Mr. Bristow; I have read practically all of it; it covers about 174 pages; and it is what it purports to be—the report of an investigation into crime and the collection of the testimony upon which the Government will eventually rely to convict the criminals, and it has been confined to the branch and the divisions of that branch in the Post-Office Department specified in his instruction. This is the broad, sweeping, and comprehensive investigation of the Post-Office Department which Republican Senators have been telling us about.

I do not deny that in prosecuting this investigation along these narrow lines the Fourth Assistant Postmaster-General has been reasonably diligent; that the investigation has been reasonably

thorough, and that a great mass of testimony has been discovered against the parties who have been indicted, sufficient not only to secure their indictment, but, I believe, sufficient to secure their conviction and punishment.

But the point I make, Mr. President, is that it was only such an investigation as any district attorney in this country would have made in investigating any charge of a violation of the criminal statutes of the United States. It was, in other words, a purely legal investigation. Nor was it, as I said, an investigation of the whole Post-Office Department, but only an investigation of one branch and four divisions of that branch. The branch of the postal service actually investigated was found to be reeking with fraud and corruption. I do not mean to charge that all the other branches and divisions in the Post-Office Department were tainted with the frauds and corruptions that existed in the divisions in the First Assistant Postmaster-General's office.

But I say it will be very difficult to convince the people of this country, when four divisions of one branch of the Post-Office Department are found in the condition in which Bristow found those of the First Assistant Postmaster-General, that the remainder of the branches and divisions of the Post-Office Department do not require an investigation, or that the remainder of those branches and those divisions are in good and honest condition.

Mr. President, while the investigation already made of the crimes committed in the Post-Office Department was entirely proper, there is something more involved in this matter than the investigation of crime; there is something of infinitely greater importance than that. In addition to this, it involves the people's money.

Money appropriated by Congress and dedicated to a specific purpose has been wasted, has been squandered, has been extravagantly expended, has been misappropriated, has been misapplied, diverted from the uses to which it was dedicated; and now, Mr. President, are we to tell the American people, whose representatives we are, who have put us in charge of this money, and who have also provided in their Constitution that no money shall be drawn from the Treasury except by virtue of an express appropriation by Congress—shall we say to the American people, in view of these facts, when their money has been squandered and wasted and misappropriated, that we feel no duty, that we feel no obligation to make an investigation ourselves? Shall we say to them that we ought not to make that investigation because, forsooth, a committee of this body is not an efficient machine for making such an investigation? Shall we say to them that, though there is a duty devolving upon us to inquire into these misuses of their money, we will surrender, we will abdicate that duty in favor of a subordinate department of the Government, and that department of the Government the one which has been charged with wasting and squandering it?

Mr. President, this money of the people, which has been thus wasted and which has been spent without authority of law and contrary to law—it does not make any difference which—was not abstracted from the vaults of the Treasury before an appropriation was made; it was not abstracted from any disbursing officer of the Government after an appropriation had been made. If it had been, then it would have been a case of vulgar larceny, to be dealt with by the courts and to be punished by them. That is not the way in which this money was obtained. This money was obtained—practically every dollar of it, I think I can say with safety, for I have read the report carefully—practically every dollar of this money that has been misapplied by dishonest officers and employees in the Post-Office Department was obtained under the forms of law.

If you will go and examine the books of the Post-Office Department, you will find in most instances the records are all right. In order to ascertain that there has been theft and misappropriation, you have got, in most cases, to go outside of the record. They have reached the money of the people through the processes of law.

That being so—and it can not be disputed—shall we tell the American people, to whom we are responsible for the appropriation of this money, that, with a system of laws, or with a system of regulations in the Post-Office Department so lax, so inadequate for the protection of the people's money, thousands, tens of thousands, hundreds of thousands, yea, millions of dollars can be taken, have been taken, under the forms of law, by dishonest officials in these departments, yet that system of laws and regulations needs no amendment and reform—calls for no remedial legislation for the better protection of the money of the people?

As I said, if the money had simply been stolen, then the wisdom of the ages has been able to devise no better remedy than the conviction and punishment of the thieves; but when money has been obtained under the forms of law, with nothing apparently wrong in the record, then I think a clear case is made out for reform, for remedial and protective legislation; and to say that we are helpless to meet such an exigency as that is to confess our imbecility to legislate for the welfare and protection of the people.

Mr. President, not only that, but every dollar, practically, of this money of the people which has thus been misapplied has been misapplied under circumstances which create in law a civil liability on the part of the responsible agents through whose default, or carelessness, or negligence, or incompetency this result has been accomplished.

Now let me see if that is a correct statement. Take the case of the letter boxes. That is one of the largest of the frauds. The money that was paid out by the Department on account of those letter boxes was paid out under a law of Congress. It was paid out under a contract duly and legally made. That contract provided that the contractor should supply the boxes, paint the boxes, and attach to the boxes the fasteners to connect them to the post. That was the contract. Yet a subordinate official in the Government service enters into a verbal contract which, as I understand it, was not good in law except to meet a case of emergency—and it seems emergency in the Department meant not one day or week or month, but years and years—in order to meet an exigency a verbal contract was made with a third party to furnish to the contractor the fasteners.

Another verbal contract was made by this subordinate officer with a third party to paint the boxes for the contractor. When the bill of the contractor came in, it was the exact amount provided for by the contract, which required him to both paint the boxes and furnish the fasteners, and it was paid. When the bill of the third party for painting these very boxes was brought in, it was paid. When the bill of the third party for furnishing these fasteners, known as the "Groff fasteners," was brought in, it was paid. Machen got a bounty from the painter on his verbal contract, and he got a graft in the form of percentage from the party furnishing the fasteners made under his contract. He then received a bounty from the contractor, because, forsooth, he had not been required to paint the boxes and to furnish the fasteners, as specified in his contract and for which he had been paid.

Take again, to illustrate my point, the matter of the satchels and the satchel straps. In that case a contract was made according to the requirements of law providing that the contractor should furnish the satchels and the straps that went upon the satchels at a specific price. Machen then made a verbal contract—which could only be good in cases of exigency, as I explained—with a third party to furnish this contractor the straps. The contractor was paid by the Government the full amount of the original contract price without any deduction because he had not actually furnished the straps, and the third party with whom Machen made his verbal contract was likewise paid, and Machen got a double commission—one out of the private contractor who had the verbal contract, and then one out of the Government contractor, because he had, through Machen's manipulations and ingenuity, been relieved from performing that part of his contract which required him to furnish the straps. The Government paid twice.

This was done under two contracts, held by the Department to be legal, I take it; but, Mr. President, the point I make is that the money which Machen secured in that way and the money which the contractors who were in conspiracy with him received in that way, to which they were not entitled, creates a civil liability against somebody—Machen or some other official—in favor of the Government, not only for the amount which Machen received, but for the amount which the conspirators outside of the Post-Office Department also received, and for all that the Government lost.

Mr. TILLMAN. Mr. President—
The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from North Carolina yield to the Senator from South Carolina?

Mr. SIMMONS. Certainly.
Mr. TILLMAN. The Senator is on the Post-Office Committee, and is therefore much more familiar with these matters than I am. I therefore take the liberty of making an inquiry, hoping that if he has not already had his mind turned in that direction that he will. Senators will remember that two or three years ago—I do not recall exactly the date—I endeavored to get an appropriation on the Post-Office appropriation bill for the purchase of rural free-delivery boxes at cost for the use of the rural routes throughout the country, so as to minimize the expense to the farmer.

I brought in here a sample box which was offered to the Government at 50 cents, thoroughly well made and up to the usual requirements, and yet that very same box was being required to be purchased by the Department from somebody, somewhere, at about a dollar and a half or a dollar and a quarter. I want to ask the Senator whether this investigation which has been made, or any investigation which the Post-Office Committee itself has set in motion, has ever uncovered any of the apparent corruption involved in that transaction? If not, I hope that that committee will bear this in mind. If we are allowed by our friends on the other side to uncover the corruption which exists, and begin to

pull the string. I am thoroughly satisfied that we will get some big rogues and lots of big thieves after a while.

Mr. SIMMONS. Mr. President, there are numerous instances disclosed by the report of Mr. Bristow in which it appears that an article for which the Government was paying 100 cents, I will say for illustration, could be purchased in local markets for from 33 to 50 per cent of that amount. Not only is that disclosed, but it appears that repeatedly postmasters from distant points would write the Post-Office Department here, "The article for which you are paying \$1 can be manufactured and sold, and is manufactured and sold right in the local market here, at retail for one-third or one-half of that amount," and they asked permission that they might be allowed to buy from the local dealers. The only answer was that the Government had entered into a contract with somebody to furnish the article; when, as a matter of fact, the Government had no such contract, but merely a verbal agreement between Machen or Beavers, as the case might be, and some private parties.

Mr. TILLMAN. I did not understand the Senator to say that any investigation along the line I suggested had been made anywhere.

Mr. SIMMONS. No; not exactly. It ought to be made, though.

But I do not wish, Mr. President, to be diverted from the line of argument I was pursuing. I had just been arguing that in nearly every instance the money which had been illegally abstracted and drawn from the Treasury had been drawn from it under circumstances which would create in law a civil liability, as well in many instances as constitute a crime. Under the laws that obtain at this time the officials of the Post-Office Department and of the Department of Justice it seems confess that there is no means by which this civil liability in favor of the people can be enforced except by a writ running only against the private property of the dishonest official, who, in many cases, is absolutely impetunious, and in other cases, as in that of Machen, has his property so concealed that it can not be reached by a writ of attachment.

Let me see if that is not a correct statement. All of us remember the fact that very shortly after Mr. Machen was discharged from office it was said that the law officers of the Government would institute proceedings against him; they would withhold his salary in the Post-Office, and then would institute proceedings against him in order to reach his property. I believe they did finally get a writ from the court, but that writ, it seems, was not effective in that it could only reach the small bit of tangible property of Mr. Machen, a confession, Mr. President, that, the people having lost thousands and hundreds of thousands and millions of dollars through the dishonesty of these officers of the Post-Office Department, there is no law which gives them adequate remedy for reimbursement, though there is a clear civil liability, except by attaching or levying upon the personal property of the defaulter.

Let me read, Mr. President, an article that appeared in the Washington Post about this time:

SUITS IN POSTAL SCANDALS—CAN THE GOVERNMENT RECOVER FOR IMPROPER EXPENDITURES?—POSTMASTER AT BALTIMORE WAS REQUIRED TO MAKE RESTITUTION WHEN CASE WAS A VERY CLEAR ONE.

The question of civil actions for delinquencies of officials and former officials of the Post-Office Department has been discussed recently by the law officers of the Government. It was raised about the time of Superintendent Machen's dismissal from office, was broached anew in connection with the removal of a clerk in the Baltimore post-office, who was shown to have performed no labor, and has been suggested again by the emphatic terms of the reports of Fourth Assistant Postmaster-General Bristow and Special Attorneys Conrad and Bonaparte.

All of Mr. Machen's salary remaining unpaid was withheld at the time of his dismissal. Official declarations concerning that action were that the Government would recover as far as possible for illegal and improper contracts made by him for various supplies. The purchases of some of these articles, often without any contract, formed the basis of indictments and were said to be actionable in suits at law. A very diligent search was made, without much success, to locate Machen's property.

Some of the Government's legal advisers believe recovery could be had in the courts not only against Machen, but against many others who have been implicated in the postal scandals. If the law would hold against Machen, it would probably hold against ex-Superintendents Beavers and Metcalf. The difficulty, of course, would be—even if a favorable verdict were rendered—to find property that could be attached in case of officials not under bond.

Outside of bonded officials it is said to be somewhat difficult for the Government to recover in such cases. The proof must be very explicit, as a rule, to convince juries; but if the Government should embark on such an effort it would cause widespread consternation in high quarters. The amounts involved might not be large, as compared with Government transactions, but they would be large to the individuals held responsible for the improper payments.

If a collector of internal revenue misappropriates one dollar of the people's money, if any subordinate in his office, however low his rank, misappropriates one dollar of the people's money, if either he or any of his subordinates shall pay out a dollar which is not authorized by law, or in a manner not authorized by law, the people do not have to look to the private property of the derelict or defaulting subordinate or of the collector. So it is with the post-offices located within the States.

Not only in case a postmaster or his subordinates steal a dollar or abstract it, but where he appropriates it in a manner not specifically authorized by law or the Department civil liability is created, and the remedy is not solely against the private property of the defaulting subordinate or his chief, but it is against the bond which the Government has taken and which the law prescribes to cover all defalcations and derelictions of this kind.

Mr. President, I am not suggesting who in the Post-Office Department shall give bonds. I am not suggesting what shall be done in order to remedy this omission. But I say there is no divinity that hedges about the Departments of the Government in Washington City. There is no reason why the law should not provide for the people, as to a Department in Washington City, the same financial indemnity and protection against defalcations and misapplications of money of the character that have occurred in the Post-Office Department that it does in a Government office located in the States or the Territories. And yet we are confronted by the fact that these grafters in the Post-Office Department have succeeded in abstracting from the public funds nearly a million dollars, which has gone straight into their pockets, and their co-conspirators, outside of the Post-Office Department, through their failure of duty, through their violation of law, have obtained from the Treasury of the United States illegally equally as large a sum of money. And yet it appears that the only civil remedy the Government has for reimbursement on account of these large thefts is an action against the individual chief and a writ against his private property.

I would not be guilty of the sacrilege of saying that a Cabinet minister ought to give bond. But I do say there ought to be a bond somewhere responsible for every cent of money misapplied in the Departments at Washington, as is the case in Government offices away from Washington.

The point I make is that the laws now existing it seems are so inadequate, so ineffectual, to protect the interests of the people in the Post-Office Department, and if in the Post-Office Department, then I presume in all the other Departments in Washington, that millions of dollars can be abstracted contrary to law and the people apparently have no remedy except against the property of the thief.

Yet we are told, in the face of this fact, that there is no occasion for an investigation by a committee of Congress, because, forsooth, no matter of legislation is involved.

It has been suggested by Mr. Bristow in the closing observations of his report that what the Government needs is more honesty in the Department. He says:

What the service most needs, however, is honest, intelligent, and vigorous administration.

If it were possible to secure absolute honesty on the part of officials, then we should need no bonds and we should need no preventive legislation, because if there was absolute honesty we would not need laws to punish dishonesty.

It is contended that the conviction of these grafters by a court and their punishment will have the effect of deterring others from the commission of crimes of like character. But how long will that corrective influence operate? If we could have legislation by which there would be somebody in the Post-Office Department under pecuniary liability, with good security to the Government, not only for his misdoings, but for the misdoings of everybody under him, that very fact would beget a diligence and a vigilance in the administration of the laws which would be permanently effective.

I do not mean, Mr. President, to make any charge against Mr. Bristow. I have read his report, and I am frank to say that in my judgment he has made, within the limitations that were prescribed for him, a pretty thorough investigation of these matters. But the investigation which Mr. Bristow has made concerns itself almost entirely with the investigation of his subordinates. There is only one instance in which he has undertaken to investigate one of his superiors in office.

I do not say that he has not been active and has not discharged his full duty in the matter of investigating that equal in office, but I do say that a careful reading of the report has led me to believe that if the investigation of the charges against Perry Heath had been pursued and probed with the same diligence that was displayed in the investigation of the charges against Machen and Beavers, and if clues against him had been followed out to their logical and legitimate results, as they were followed out in the case against Machen and Beavers, a sufficient amount of evidence might have been found to warrant the district attorney in presenting his case to the grand jury, as well as in the cases against Machen and Beavers.

It is evident Mr. Bristow believes that Perry Heath was one of the chief sinners; that he believes he had very much to do with the inauguration of the system of graft which has grown to such

proportions in that Department. It is evident, too, from the report of Messrs. Conrad and Bonaparte, that they believe it. It appears from Bristow's report that this man secured the removal of the first officer of the Government who dared to begin the investigation of these irregularities, not because that man was guilty of any illegal conduct, but because his probings into the affairs of his Department were inconvenient and embarrassing.

It also appears from this report that certain stock of a company which furnished the Government with these Montague indicators was issued, or, it appears from the books of that company, was directed to be issued, to the editor of a certain newspaper in Salt Lake City, which editor Perry Heath was, and sent to a certain street and number in Salt Lake City, which number indicated the place of residence of Perry Heath. It appears also that some of that stock was finally issued to the uncle by marriage of Perry Heath, and, although he denies ever having received it, it came back to the Department in an anonymous letter after the investigation was begun. Upon the procurement of Heath 527 automatic cashiers which were not needed by the Government, 173 of which have never yet been used, were purchased by the Government for \$150 apiece when they could be manufactured for about \$20 and were selling at the time on the market for \$125. It is not shown whether Heath got any of the stock in this company, a large amount of which was used to secure the purchase and use by the Government of these cashiers, but enough appears to justify a searching investigation into Heath's connection with and interest in this corruption fund.

I say it is remarkable, with these and other important clews pointing to the ex-First Assistant Postmaster-General, that the officers of the Government were not able to follow them up and get sufficient evidence to indict him as they did in the case of Machen and Beavers, for the original clews against those two officials were no stronger than those against Perry Heath.

Mr. President, I do not say that Mr. Heath is guilty of what the circumstances indicate that he is guilty of; but I do say that if Perry Heath is an innocent man, then he is the victim of one of the most remarkable combinations of circumstances which ever invested an innocent man. I do not say that by any degree of diligence upon the part of Mr. Bristow and his inspectors they could have followed these clews and traces so as to have secured sufficient evidence to convict the ex-First Assistant Postmaster-General. In the annals of crime there are instances where great criminals in certain stages of their crime have seemed to be bold to the point of recklessness, but when they reached the critical stage of their crime they have exhibited a skill in destroying or complicating the traces of their crime which baffled the resources of the sleuthhounds of the law. And it may be that this man is guilty, but is shrewder in concealing the evidence of his crime than the balance of them, and for that reason Mr. Bristow and his inspectors were unable to link together the inculcating circumstances against him. It may be that he is innocent and simply the victim of circumstances.

Mr. President, something has been said here about stifling investigation, and said in such manner as to be construed as a reflection upon the present Postmaster-General. For myself I have no reflections to make upon the present Postmaster-General. I have always regarded him and now regard him as an honest man. I think that the Postmaster-General has been reasonably active in pushing forward this investigation, and I do not myself feel like making any charges against him. He has only recently come into the office, and I think it fair to assume that as soon as he could reasonably ascertain the fact that crime was rampant in the Department he took up the matter.

But, Mr. President, that defense can not be made for the late Postmaster-General, Mr. Charles Emory Smith. Long before his term of office expired, even in the early days of his term in office, charges were made—not vague, general charges, but specific charges, and made by responsible agents, made by a great independent newspaper published in the city of Washington, and he was challenged to begin the investigation then. He was informed as to the character of the offenses committed in the Post-Office Department, and he was given the names of witnesses to those offenses, and yet he went out of office without making any investigation which was worthy of the name of investigation.

When these charges were revived and when there was a universal demand in the country that an investigation be had and one was begun, this ex-official of the Government, in answer to a letter of the Postmaster-General asking him for information with reference to this matter, not only pooh-poohed and made light of the charges, but denounced them as stale slanders unworthy of the credence of intelligent men.

Mr. President, I want to put some matter in the RECORD showing the conduct of the ex-Postmaster-General with reference to the charges, detailed knowledge of which were brought to his attention a long time before Mr. Loud, Mr. Seckendorf, or William Allen White brought the President's attention to them, as told in

his memorandum on the Bristow report. This knowledge was public property in Washington.

The Washington Post on Saturday, May 26, 1900, displayed prominently on the front page of that day's issue an article containing specific charges and suggesting to the Postmaster-General that inquiry would discover corruption and irregularities to a remarkable degree. The names of witnesses who could furnish the information included Fourth Assistant Bristow, Seymour W. Tulloch, Thomas W. Gilmer, George W. Beavers, and others who have figured prominently in the investigation of recent months.

Without reading, I ask leave to incorporate in my remarks the article on the subject in the Washington Post of May 26, 1900, calling the President's attention to these charges, and specifying them, and giving the names of the witnesses by whom they could probably be established.

The PRESIDENT pro tempore. The Chair hears no objection to the insertion of the matter.

The article is as follows:

[Washington Post, May 26, 1900.]

ON POSTAL PAY ROLLS—IRREGULARITIES IN THE SERVICE AT SEAT OF GOVERNMENT—SALARIES THAT YIELD NO RETURN—INSPECTORS HAVE HAD THE WORD TO "LET THE WASHINGTON CITY POST-OFFICE ALONE"—WHILE GENERAL BRISTOW IS PROBING AT HABANA THE POSTMASTER-GENERAL IS GIVEN AN OPPORTUNITY TO TURN THE LIGHT ON AT HOME—SOME QUEER OFFICIAL TRANSACTIONS.

Investigations are in order, especially in relation to postal affairs. Postmaster-General Smith invites them. He sincerely believes that every branch of his Department, excepting Cuba, will bear the closest scrutiny, and he is willing, nay anxious, to have the light turned on in any quarter. There is no reason to doubt the Postmaster-General's earnestness in this matter. He is satisfied everything is right, save in Cuba. If anything is wrong, or has been wrong elsewhere, for which his Department is in any wise responsible, he wants the facts made public, however ugly they may be. This is the well-understood position of the Postmaster-General. He has emphasized it repeatedly. His policy as to Cuba is unmistakably vigorous.

The official instructions to Mr. Bristow are clear and emphatic. There is to be no covering up of fraud; no shielding of guilty officials. Even in the matter of this deplorable scandal—the worst of the generation—the Postmaster-General is not unmindful of the fact that but for a collusion with the Auditor of another Department the frauds would not have been possible.

A GOOD FIELD FOR INQUIRY.

In view of the Postmaster-General's unquestioned willingness to have the light turned on, the Post this morning directs his attention to a branch of the service, with some remarkable ramifications, which should by all means be looked into, and with care. An inquiry will be profitable to the Government if not to the reputation of the Department. The revelations may surprise Mr. Smith no less than the public. The matters involved are no idle or malicious gossip, but irregularities well known to officials in the Post-Office Department as well as in the Treasury—irregularities that have caused scandal for months. The facts—admitted facts—are of common knowledge among certain officials, who are anything but pleased with the record.

Until recent date the postal affairs of Porto Rico were conducted in conjunction with and under the jurisdiction of the Washington City post-office. And so it happens that the Washington City post-office and its revenues, collected from local patrons, and the military postal funds, which were disbursed by the local post-office officials, are involved in the insular affairs. It is not charged that Postmaster Merritt is responsible for the abuses. Indeed, he has had little, if any, control over the matters involved.

INSTANCES OF IMPROPER PAYMENTS.

Following are some of the allegations that call for inquiry: Funds of the Washington City post-office have been improperly disbursed for over two years, the irregularities for the quarter ending September 30, 1898, amounting to \$20,000 to \$30,000, according to an expert's report to Comptroller Tracewell.

Numerous favorites have been carried on two and even three pay rolls at the same time at the Washington City post-office and at other post-offices in the country. Oliver H. Smith, of Indiana, now superintendent in the local service, was for about a year simultaneously auditor of local postal stations, laborer, and painter of street letter boxes. He drew three salaries. Nathan B. (?) Baker, of Indiana, succeeded to Mr. Smith's emoluments.

Six women have long been carried on the rolls of the city post-office as cleaners at \$300 a year, performing no work whatever, and being paid on separate vouchers. Four men were for many months paid at the local post-office, apparently to investigate claims of letter carriers, all the positions being sinecures.

John E. Jones, a newspaper reporter, was carried for many months as physician to the Washington City post-office at \$1,700 a year.

Traveling expenses of Department officials who were not on public business, trips for private citizens only nominally connected with the Government service, have been paid to the extent of tens of thousands of dollars out of funds strictly belonging to the Washington post-office and out of the military postal fund.

MEN WHO HAVE INFORMATION.

If the Postmaster-General wishes to thoroughly investigate the affairs here referred to, the Post suggests that he secure the testimony of the following witnesses, among others:

Joseph L. Bristow, Fourth Assistant Postmaster-General.
Chief Inspector Cochran, of the Post-Office Department.
George W. Beavers, chief of the salary and allowance division.
A. H. Scott, now in this city, who was the former chief of that division.
Seymour W. Tulloch, formerly cashier of the Washington City post-office, but suddenly discharged, after many years of faithful service.
Mr. J. Edwin Wilson, formerly assistant postmaster of Washington, but now an employee in the Census Bureau.
Thomas W. Gilmer, a resident of this city.

The officials here named will not make statements to the press and are in no way responsible for this publication, but it is well known that they are in possession of information bearing directly upon these charges. The files of the office of the Comptroller of the Treasury will also produce valuable corroborative evidence, if an investigation be made with a sincere desire to get at the facts.

The Postmaster-General, the Post would suggest, with all deference, would do well to insist on obtaining both reports that were made regarding the

operations of the Washington City post-office early last July, the confidential report being the one that will best demonstrate methods that prevailed in the local office.

AMOUNTED TO \$50,000 IN ONE YEAR.

The irregular, in many cases illegal, but not necessarily criminal, disbursements have been made for many months and have reached a very large total. For the fiscal year that ended June 30 last it has been estimated that these irregular disbursements amounted to \$50,000. Some say twice that amount. The figures given are claimed by conservative men to be below the mark. For the past eleven months conditions are said to have improved, as far as the local post-office proper is concerned, because it ceased to be connected with the postal affairs of Porto Rico, but the Department officials admit that they are incapable of any accurate statement regarding the grand total.

The irregularities have extensive ramifications, affecting post-offices and officials in other cities. Just how widely the ruling spirits in these transactions have operated can not be positively stated. It is known, however, that double, sometimes triple, salaries have been paid to one person in the Washington post-office; that supplies have been purchased for post-offices in Porto Rico from friends of certain officials high in authority at big prices; that political junkies in this country and in Cuba and Porto Rico, of a very extensive and numerous character, have been authorized, the money all coming out of revenues belonging to and handled by the Washington City post-office.

AN UNDERSTANDING AMONG OFFICIALS.

Political influence and the craft of political leaders have fashioned matters so that the system of auditing accounts is far from circumspect. In fact, no adequate and satisfactory auditing of the accounts of the post-office has been made for several months. What virtually amounts to an order to inspecting officials to "let the Washington City post-office alone" has been in force. This does not mean that such an order is actually in writing, but there is an understanding that high officials will step in whenever full and thorough inspection is undertaken. Whatever inspections have been made for months have only been of a formal character.

Scores of "the boys," probably as many as fifty in all, perhaps more, have been made happy by these easy-going methods. Good fellows from Indiana, from Ohio, from New York City, political henchmen in various quarters, not a few so-called journalists, have fattened off the money that resident people paid for postal materials, and that Congress appropriated for military postal service. An editor of an Italian journal in Chicago lived in high feather for several weeks in the West Indies, and, through an official order, his expenses, amounting to between \$2,000 and \$3,000, were paid over the counter of the Washington City post-office. After he returned from his trip his salary was continued for several months.

TRAVELING EXPENSES OF OFFICIALS.

Post-Office Department officials themselves traveled much and sent the bills to be paid by the local post-office. One of the first instances of this occurred several months ago. One of the high authorities of the Department returned from an extensive trip which had more of pleasure than business in it. A demand on the local post-office was made for the payment of his expenses. This was refused, and a stormy scene ensued. He refused to sign vouchers, railed at those who stood in his way, and, when his anger proved of no avail, appealed to the Auditor. That official was also obdurate, but finally agreed to pass the vouchers, allowing the items that made up the total to be omitted.

For months a great many of these expenses were paid only under strong protest, and payment was resisted to the last ditch. The strongest kind of influence was brought to bear. The usual procedure was a request for the payment of items by a telephone that proved a most convenient medium. The late Postmaster Willett protested against the disbursements, but to no avail, except that the way was made as difficult as possible. In the concluding accounting, which the auditor had to pass upon, the sums were entered under the head of "incidental expenses."

HEARD FROM THE COMPTROLLER.

Some months ago the condition of things came near being aired in the local courts and was only narrowly avoided. This was occasioned primarily by the appointment of two expert accountants from the Treasury Department. They were authorized by Congress on one of the appropriation bills passed two years ago. They were designated to serve in connection with the Comptroller's office and had authority to examine into the accounts of any of the auditors. One of these experts, whose name is known, called up the accounts of the Washington City post-office for the quarter that ended September 30, 1898. The two previous quarters, which are said to have been still worse, were, as far as known, never inspected. He went over the papers in the custody of the postmaster and his subordinates, and discovered items, amounting to \$20,000 to \$30,000, which were irregular and which he did not think should have been allowed.

In due season a lengthy letter came from the Comptroller of the Treasury, stating the result of the investigation and propounding a long list of questions to be answered. The Comptroller, under the law, is supreme in such matters, and is empowered virtually to assume charge of all the financial matters relating to any post-office. Meanwhile, however, word had reached one of the high officials of the Department, who thereupon issued directions that not a scrap of paper or any matter of any kind relating to that inspection should be retained by the local post-office officials. It must be forwarded at once to his office. He prepared a reply to the Comptroller's letter, which was presented to Postmaster Willett for signature. That gentleman was forced into signing the reply, after a long parley, by certain of his superiors, whose acts had been the cause of the Comptroller's investigation. The letter was not satisfactory in its answers to the various questions propounded, and the Comptroller so stated in a subsequent communication.

In the meantime an adjustment was under way which resulted in the entire matter being dropped and an understanding reached that the Washington post-office was to be "let alone" to regulate the expense account as other men wished.

SALARIES OF SIX WOMEN CLEANERS.

A few of the numerous items in the accounts for that quarter are given as examples. For over a year, including the quarter in mind, six women cleaners were carried on the rolls at about \$900 a year. Strict instructions were given from the Department that each should call at a different hour of the day for her pay and that the name should appear only on vouchers. They performed no services for the Government. It is said that they are still drawing salaries. Four or five men were carried on the Washington City post-office rolls, apparently for the investigation of claims of letter carriers. Those places, also, were sinecures. Subsequently some of these favored employees were transferred to what was known as the "military roll," and other favorites were brought in to fill their places. Twenty of the clerks so transferred were from the Washington City post-office. Some drew pay on both rolls, among them two sons of a prominent postal official, who are now out of the Government service. There was also "an emergency roll," on which was carried several people, paid from the Department funds, who had also enjoyed the pleasures of having a salary from the Washington City post-office.

A POSTMASTER IN PORTO RICO.

Another instance affecting the management of the service in Porto Rico is concerning the father-in-law of an official in the Department. He was designated as a postmaster of one of the big towns outside of San Juan, and given \$2,600 in stamps and money to start his office. He went to New York, had a jolly time there for several days and, after some very dramatic actions, was transported to the scene of his duties. His official conduct was such that the local post-office refused to send him more stamps, his money-order accounts were in the greatest confusion, and even when his vouchers had been made out for him in the local office he could not make an accurate showing. Eventually he was transferred to another department and is receiving \$1,400 now for services as a clerk. He comes from a Southern State.

Funds have been paid out for double and even triple salaries in very ingenious ways, both from the local post-office and from other post-offices. A chief of one of the divisions of the Post-Office Department has been drawing a salary for that place and also a \$4 per diem from the post-office in either New York or Brooklyn.

OCCASIONED OFFICIAL PROTESTS.

The local post-office was also put to the expense of maintaining a physician. It is claimed that the clerks and carriers were disposed to play sick, and that when it was known that their complaints could be speedily inquired into by a physician they were less likely to sham, and accordingly that the salary of \$1,700 paid to such a physician was well invested. This sinecure, for it is not known that he ever performed any professional duties whatever, was bestowed for several months upon the reporter of a local newspaper, Mr. John E. Jones, whose reportorial duties take him daily to the Post-Office Department.

These are only instances, not isolated ones, during the last two or three years of the administration of the affairs of the Post-Office Department and of the local post-office. They have given rise to the most vigorous protests within the Department itself, and have resulted in a very bitter feeling between at least two of the important bureaus. A detailed statement, as far as it could be made without a complete inspection of affairs in the local post-office and of transactions in the same connection for Porto Rico and Cuba, was made several months ago, but the influences, political and otherwise, were powerful enough to have everything hushed up. The furnishing of supplies, which involves sums of money more or less large, was likewise dwelt upon. These were numerous.

DISBURSEMENTS BY LOCAL OFFICIALS.

The Washington City post-office, besides disbursing funds for its own expenses, disburses large sums for the Post-Office Department and out of the Department's own funds. The employees of the mail bag shop here in Washington are paid by the disbursing officials of the Washington City post-office, although the money paid them is provided by the Department. In the same way quite a number of railway mail clerks, whose routes are between here and Baltimore, New York, Charleston, and other southern points, are paid by the local post-office disbursing agents, who handle the Department funds for that purpose. The transactions involving irregularities, as stated, were in the funds of the local post-office proper, and also from the military postal fund.

The Auditor's annual statements regarding the accounts of the Washington City post-office throw little light on the situation. There are many intricacies in the figures which are not made apparent in the brief statements published. On the face, as far as net revenue is concerned, the showing for the Washington City post-office is good, although the increase in the amount for clerk hire from \$356,914.32 in 1896 to \$387,389.56 for last year might be regarded as unusual, as well as the increase of incidental expenses from \$12,710.11 in 1896 to \$21,634.28 in 1899. The abstract of the local office accounts for four fiscal years follows:

	1896.	1897.	1898.	1899.
Gross receipts.....	\$398,073.48	\$549,658.43	\$594,621.36	\$661,156.06
Clerk hire.....	256,914.32	263,830.20	272,688.98	287,389.56
Incidental expenses.....	12,710.11	14,055.10	19,212.74	21,634.28
Total expenses.....	490,824.88	508,926.02	545,317.24	557,437.61
Net revenue.....	88,248.60	40,732.41	49,304.12	103,718.45
Per cent of expense to gross receipts.....	93	93	92	84

FIGURED IN ONLY THE RECEIPTS.

In the accounts for 1899 there is an interesting feature. The gross receipts for that year, it will be noticed, are very large. However, it is stated on good authority, subsequently verified by Auditor Castle, for the Post-Office Department, that the receipts from the postal service in Porto Rico during the period when the offices in the island were as a substation of the Washington City post-office, the best part of a year, beginning in the summer of 1898, were reckoned in with the gross receipts of the Washington City post-office, going to make up the total of \$661,156.06.

"The expenses of the service in Porto Rico were reckoned under the military postal fund, were they not?" Mr. Castle was asked.

"And the salaries of clerks and other expenses of the postal service in Porto Rico do not figure at all in the accounts of the Washington City office for the fiscal year between July 1, 1898, and June 30, 1899?"

"No," answered Mr. Castle, after a clerk had telephoned to an adjoining room to ascertain definite information regarding the question. "The service in Porto Rico cost a great deal more than it paid in revenues, especially at the beginning. It was necessary to fit up offices and furnish supplies. The receipts were very small at first, although they have increased since that time."

Mr. SIMMONS. The Washington Post enlarged upon these charges in several articles of current date, giving further specific information and urging Postmaster-General Smith to start the investigation without delay. In an editorial in the issue of May 30, 1900, the Postmaster-General was criticised for persistently ignoring these specific charges. I ask unanimous consent also to incorporate that editorial in my remarks.

The PRESIDENT pro tempore. The Chair hears no objection to the insertion of the matter referred to.

The editorial is as follows:

[The Washington Post, May 30, 1900.]

JUST A LITTLE CORRECTION.

Prefatory to a news article which created some commotion in official circles, the Post on Saturday printed the following:
"Investigations are in order, especially in relation to postal affairs. Post-

master-General Smith invites them. He sincerely believes that every branch of his Department, excepting Cuba, will bear the closest scrutiny, and he is willing, nay anxious, to have the light turned on in any quarter. There is no reason to doubt the Postmaster-General's earnestness in this matter. He is satisfied everything is right, save in Cuba; if anything is wrong, or has been wrong elsewhere, for which his Department is in any wise responsible, he wants the facts made public, however ugly they may be. This is the well-understood position of the Postmaster-General. He has emphasized it repeatedly."

This is reprinted in order to correct it. The Post, to its sorrow, finds that it was mistaken as to the attitude of the Postmaster-General. Its confidence in his willingness to have the light turned on was misplaced. This admission is chronicled with regret—deep regret. In announcing that the head of the Post-Office Department invited investigations, the Post believed it was speaking the simple truth. To be forced to a contrary conclusion by the developments, or lack of development, since Saturday last, is anything but pleasing to the Post.

The charges affecting the Post-Office Department in its relation to the Washington City post-office were made in good faith. These charges were specific. The Post indulged in no sensationalism. It did not call upon Congress to overhaul the affairs. It suggested merely that the Postmaster-General look into things.

Moreover, it gave him the names of witnesses—some of them officials in high standing in his own office—who could promptly establish every charge made. These charges were neither trivial nor frivolous. They involved irregularities which, for one quarter alone, cost the Government thousands of dollars. They involved also clear violations of the law in the payment of double and triple salaries. And one-half of the story has not yet been told.

The Post is disappointed in Postmaster-General Smith. It confidently believed that he would act, and act promptly. It hopes yet that he will reconsider, not that scandal may be exploited, but wholly and solely for his own enlightenment. A thorough investigation will open his eyes to many things. It may prove unpleasant for the time being, but it will be very profitable to him and to the Government in the end.

MR. SIMMONS. In that editorial the Post expresses great disappointment at the failure of the ex-Postmaster-General to take any steps to investigate these notorious charges of crime and irregularities in the Department.

As further throwing light upon the conduct of the ex-Postmaster-General after these charges were brought to his attention, specifically named, and the witnesses pointed out, in failing to take any action for their investigation, I also wish to incorporate in my remarks an article from the Washington Post of May 1, 1903, containing a statement by Mr. Seymour W. Tulloch with reference to his effort, his diligent and persistent effort, to secure an investigation of these charges through the Post-Office Department under Mr. Smith.

The PRESIDENT pro tempore. The Chair hears no objection to the insertion of the article referred to.

The article is as follows:

[The Washington Post, May 1, 1903.]

ASSAILED THE DEPARTMENT ONCE.

Mr. Seymour W. Tulloch, many years cashier of the city post-office and highly esteemed in Washington for his business integrity, came over from New York recently. He made very vigorous charges against the management of certain bureaus in the Post-Office Department, and also against the city post-office, some three years ago, soon after he had been forced out of office by a combination of officials. In view of recent disclosures as to the local post-office, Mr. Tulloch's views are unusually interesting.

"In connection with all honest citizens, I, of course, take great interest in the present effort of the Post-Office Department to investigate itself," said Mr. Tulloch. "I doubt, however, if anyone, not even those making the investigation, will ever ascertain or realize all the ramifications of a certain coterie of officials, past and present, together with their political backers and participating friends. Very few 'good things' have lasted longer, been enjoyed with greater effrontery, or been so protected by those high in authority and influence.

"Probably that is pretty direct language, but I know personally what I am talking about. I have always refused to talk about these matters for publication, though frequently requested to do so. I have realized, however, that anything I might say would only be treated as the utterances of a discharged official, and come to naught, as circumstances proved by the results attending the publication of certain direct charges of existing irregularities in the Post-Office Department and the Washington City post-office, from information obtained independently at the time, in the Washington Post of May 26, 1900. Detailed charges at length were made, the names of competent witnesses were given, and Postmaster-General C. Emory Smith was challenged to make an investigation. Those charges were treated as frivolous and civilly dismissed by the officials involved. They remain, however, unanswered to this day, and may yet furnish interesting matter for a truly zealous investigation.

SERVED DURING STAR-ROUTE PERIOD.

"I do not care to say too much," added Mr. Tulloch. "I was, as you may remember, cashier of the Washington City post-office for over twenty-one years, and was considered one of the experts in the service. I served during the celebrated star-route investigation and trial. Consequently when the irregularities with which I am personally familiar occurred I protested, and very vigorously, and demanded everything in writing for my own protection and that of my bondsmen. I became what First Assistant Postmaster-General Perry S. Heath called 'an obstacle.' Mr. Merritt, then temporarily residing in this city as an official of the Post-Office Department, was appointed as our local postmaster, and he very summarily removed 'the obstacle' in less than five minutes after taking possession of the office.

"The whole tendency of the Post-Office Department is to convert the local office into a mere bureau of the Department, disburse its funds, and appoint and promote its employees. So strict is legislation covering the Department itself that irregularities are more difficult, but with a complaisant postmaster and cashier, and more especially at Washington, where personal directions without record can take the place of written, everything is simplified, and one official of the Department need not know what another is doing.

"With regard to appointments or promotions of personal and political friends or the transfer of the same to Washington from some obscure office just placed among the classified, all that is required is the action of the First Assistant Postmaster-General's Office, salary and allowance division. It finds the money, designates the appointment or promotion or transfer, and the local postmaster keeps on adding additional employees as directed, whether their services are required or not, while other offices badly in need have to go

without. The civil service can always be got around when necessary, as seen in the appointment of cleaners, charwomen, laborers, financial clerks, auditors, mechanics, and other excepted persons, irrespective of the duties performed or whether any duties are performed. The same is also true with regard to the purchase of supplies and traveling expenses of departmental officials. The local office can be made to pay the freight, and disinterested officials of the Department remain in ignorance.

INVESTIGATION WAS CUT SHORT.

"Previous to the appointment of Mr. Merritt an investigation of the accounts of the Washington City post-office was being made by an expert connected with the office of the Comptroller of the Treasury, after these same accounts had been passed by the Auditor for the Post-Office Department. The officials of the Post-Office Department who were likely to be involved had given positive orders to the local postmaster that all communications received by him from the Comptroller were to be brought to them immediately upon receipt, and that they alone should dictate all replies. Unhappily, before I was aware of this order an answer had been made to the first letter received. Direct personal and political pressure was then brought to bear upon the Comptroller—the investigation was stopped just as it was becoming interesting, and the expert having it in charge was removed for a too zealous performance of his duty, presumably as a warning to others.

"The post-office inspectors, who were fully aware of the existing conditions, were informed that if they presumed too much they too would also be removed. I am creditably informed, however, that Fourth Assistant Postmaster-General Bristow stood steadfastly by his man, and demanded a thorough investigation of the office of the First Assistant Postmaster-General. This was refused by Postmaster-General Smith.

"I had an interview with Mr. Smith just after my removal. I told him I had, of course, no hope of reinstatement, but warned him for his own good that if he didn't take action with regard to the state of affairs he knew to exist in the Department his administration would end under a cloud. No action seemingly was taken, and conditions were allowed to drift. The Cuban scandals, however, became public, forced out by the officers of the Army; those of Porto Rico never did.

"I have now been out of the service almost four years, engaged with private affairs; but every now and then I have noticed in the newspapers references to the existence of scandals in the Post-Office Department. Powerful influences and political exigencies have always caused them to be ignored. Whether they will be this time or not remains to be seen."

MR. SIMMONS. Mr. President, while I acquit the present Postmaster-General of any lack of appreciation of the seriousness of these charges and of any lack of effort to bring about their exposure and the conviction of the men charged with them, I want to say that the people of this country, without regard to party, did not appreciate his attitude with reference to certain important witnesses who offered themselves on behalf of the Government in connection with this investigation. His treatment of Mr. Tulloch, a man of the highest character, a man of more than ordinary intelligence, a man who had to his credit twenty-three years of honest and faithful and intelligent public service, was not received with approval by the country.

But that would amount to very little, Mr. President, in itself. Public officers in this day and generation seem to be very callous as to what the public thinks of them. But there is another aspect to this. When Mr. Tulloch filed his charges with the Postmaster-General, backed by his good character and his long public service, the Postmaster-General answered those charges through the press of the country with the sarcastic statement that they were false, stale slanders, the emanations of a discharged employee inflamed against the Department by reason of his removal from office.

When the Postmaster-General, the head of that great Department which was then undergoing investigation, treated in this way a Government witness of good character, who voluntarily offered himself in behalf of the Government, I want to ask is there a man in this country who does not know that the effect of that treatment of this Government witness was to deter and intimidate other employees of the Department of the Post-Office who might have possessed valuable information tending to show the corrupt practices and methods in this great branch of the public service? Who knows to what extent this conduct, this unwarranted conduct, this strange conduct on the part of the Postmaster-General toward this witness, affected other possible witnesses—what effect it had in the suppression of evidence of fraud in the Department?

Mr. President, it is amazing to me that under the circumstances of this case, with the conditions shown to have existed in one branch of the Post-Office Department, with charges of like conditions in other great Departments of the Government, the Republican party should throw the slightest obstacle in the way of this investigation.

MR. PLATT of Connecticut. Mr. President, I would not presume to take any part in the discussion of the matter before the Senate if it were not for my belief that it has been proceeding upon an assumed issue which does not exist. The Senator from North Carolina [Mr. SIMMONS] who has just taken his seat, and other Senators who have spoken on that side, have charged in direct terms that the Senators upon this side of the Chamber were trying to prevent an investigation of the affairs in the Post-Office Department. I think I minuted, as the Senator proceeded, his exact words. I do not know that I will be able to find them, but in effect he said that if an investigation was not had of the charges of corruption and extravagance in the Post-Office Department it would be because the Republican majority decided it should not be made.

Now, Mr. President, there is no question before the Senate as to whether there shall be a further investigation of affairs connected with the Post-Office Department. It is an entirely different question which is before the Senate. It is whether, in view of the exhaustive and merciless investigation which has been already had and which has been reported to at least one branch of this Congress, that matter shall be gone over with, or whether a necessity exists for further examination.

Nobody pretends to say on this side of the Chamber that no necessity does exist. We simply say that in view of what has been done, of the thorough and all-embracing examination and investigation which has already been had, we want the Committee on Post-Offices and Post-Roads to determine whether further investigation is necessary.

Upon the other side of the Chamber it is said the committee shall not do it, that we shall not submit to the Committee on Post-Offices and Post-Roads to report their opinion about, but the investigation shall take place anyway, and upon their demand, without any consideration by a committee of this body as to whether in view of all the circumstances further investigation is necessary. That is the issue.

Mr. CARMACK. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Connecticut yield?

Mr. PLATT of Connecticut. Certainly.

Mr. CARMACK. Why does the Senator assert that Senators upon this side say that the matter shall not be referred to the Committee on Post-Offices and Post-Roads—that we object to its being referred to the Committee on Post-Offices and Post-Roads?

Mr. PLATT of Connecticut. If there is no objection, this whole discussion is without any point at all.

Mr. CARMACK. I will say to the Senator that if a Senator upon the other side of the Chamber had not asked that this matter should go over it would have gone to the Committee on Post-Offices and Post-Roads day before yesterday.

Mr. PLATT of Connecticut. Who asked that it should go over?

Mr. CARMACK. The Senator from Wisconsin [Mr. SPOONER].

Mr. PLATT of Connecticut. The Senator from Wisconsin is not present. I think I was not present when he did ask it. But all the speeches which have been made are to the point that we are determined that no investigation shall be had. Now, I wish to recapitulate a little as to what has been done; and I am almost tempted, in the language of Prince Hal to Falstaff, to say:

Mark, now, how plain a tale shall put you down.

The matter arose in this way. The chairman of the Committee on Post-Offices and Post-Roads of the Senate—the Senator from Pennsylvania [Mr. PENROSE]—introduced a resolution, which I supposed had received the consideration of the Committee on Post-Offices and Post-Roads, but I learned afterwards that it had not, which resolution provided that "in view of the charges of corruption, extravagance, and violations of law in the administration of the affairs of the Post-Office Department, the Committee on Post-Offices and Post-Roads is hereby instructed to direct the Postmaster-General to send to the committee all papers connected with the recent investigation of his Department, and, if necessary, to make further inquiry into the administration of the said Department, and to make report thereon to Congress upon completion of said investigation." To that resolution no voice or objection was raised.

Mr. SIMMONS. Will the Senator permit me?

Mr. PLATT of Connecticut. Certainly.

Mr. SIMMONS. I suppose the Senator is aware of it, but I desire to call his attention to the fact that that discretionary language was proposed to be amended by—

Mr. PLATT of Connecticut. By more direct language.

Mr. SIMMONS. By the Senator from Maryland [Mr. GORMAN], and that as amended it was objected to.

Mr. PLATT of Connecticut. I was about to state that fact.

Mr. SIMMONS. I thought the Senator had passed by it.

Mr. PLATT of Connecticut. I certainly should not have overlooked it, because it is the point of all I am saying, and the point which shows conclusively that there is no such issue raised in the Senate as Senators upon the other side assume and charge.

This resolution, after having been referred to the Committee to Audit and Control the Contingent Expenses of the Senate, was reported back favorably. Then the Senator from Maryland [Mr. GORMAN] proposed some amendments which entirely changed the character of the resolution and took away from the Committee on Post-Offices and Post-Roads any discretion or any consideration of the question whether such an investigation was necessary, but peremptorily directed the committee to proceed with the investigation. To that objection was made, and to that objection is made, and to that objection will be made.

All that we ask is that the Committee on Post-Offices and Post-Roads, with a minority representation upon it which is able and

aggressive, shall have the opportunity to consider carefully the report which has been made and then to report to the Senate whether a further investigation is necessary. And if that committee should upon such investigation and consideration report to the Senate that it thought further investigation was necessary or desirable in the least degree, there would be no voice raised on this side of the Chamber against an investigation by that committee. That is all there is to this question.

We as individual Senators do not consider that we have had the time, the opportunity, or that we have the information to determine whether, after this elaborate, searching, thorough, and, I repeat, merciless investigation, there is still further need for an investigation. If there is, we welcome it—we want it. If there is not, we do not consider it worth while to enter into a needless investigation.

I think, Mr. President, that the attitude which Senators on this side have taken is the proper attitude to take with reference to all resolutions proposing investigation. I know of no reason why there must be perforce an investigation when any Senator asks for it. I do not know why the time of the members of committees of the Senate should be taken and the great expense attending investigations should be incurred before some committee, the proper committee, has had the resolution proposing an investigation referred to it and made inquiry, and report to the Senate as to whether or not such an investigation ought to be made. I think it is a rule not only for this case, but a rule that ought to be adopted in every case.

I can not conceive that there should be objection to it. We introduce resolutions here, and when the Senate is scarcely considering them, if any one objects to having them immediately passed and wants them referred to a committee to investigate and determine whether the investigation ought to be set on foot it is supposed that there is really some objection, some desire to cover up something, some desire to hide something, some desire to excuse some one. No, Mr. President; not at all. I think I may speak for my fellow-Senators when I say that we are anxious to have wrongdoing on the part of any official of this Government looked into, investigated, probed, and punished as any Senators upon the other side.

But to my mind there is a serious question as to whether further investigation into this matter is necessary. I do not believe any Congressional investigation, certainly none since I have been familiar with Congressional proceedings, has ever been conducted with the thoroughness, the impartiality, the determination to expose wrongdoing which have characterized the investigation carried on by the Postmaster-General during the eight months in which all powers of the Government were put in his hands.

Now, if Senators say there is something which he did not discover, if they specify other matters which should have been investigated and which he did not investigate, and the committee, upon the matter being referred to them, are of the opinion that that is true, then I with them should want those matters to be investigated. If they say that as to any of the matters investigated by Assistant Postmaster-General Bristow there has been any want of thoroughness, any failure to pursue it to the utmost limit and verge, then I want the matters which have been already investigated to be reinvestigated.

The PRESIDENT pro tempore. The Senator from Connecticut will please suspend for one moment. It becomes the duty of the Chair to lay before the Senate the Calendar of General Orders.

The SECRETARY. Order of Business 13, Senate bill 887.

Mr. CULLOM. I hope that Calendar will be laid aside temporarily to allow the Senator from Connecticut to proceed.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the Senator from Connecticut be allowed to proceed. Is there objection? The Chair hears none. The Chair wishes to inform the Senate that under a unanimous-consent agreement of this kind the matter under consideration would not, in his judgment, become unfinished business.

Mr. PLATT of Connecticut. Since it has been suggested that Republican Senators wish to avoid a thorough and complete investigation of delinquencies, malfeasance, and crimes in the Post-Office Department, I desire to say that the President of the United States and the Postmaster-General, acting under his direction, have, in my judgment, intended to make this examination just as thorough as it was possible to make it; that the President, in directing it, and the Postmaster-General, in carrying it out, have lived up to the letter and the spirit of the declaration made by a former President on a somewhat similar occasion, "Let no guilty man escape."

It is somewhat strange, Mr. President, that in all this discussion we have not heard from the other side a genuine hearty word of compliment or praise for the President, the Postmaster-General, and the Fourth Assistant Postmaster-General in this matter.

To be sure, we have heard mild disclaimers that it was not intended to charge that there had been any shortcomings, but we

have not heard one genuine hearty word of praise for what has been done or sympathy with it.

I think it was a work well begun, well carried on, well finished, so far as it has been finished or can be finished without the aid of the courts; and if there be any one thing that a Committee on Post-Offices and Post-Roads says has not been done, I say, as we all say, I wish it to be done.

Now, that is the only issue there is between us. I am not going into a discussion of the matters brought out in the report of General Bristow. I have no desire to defend a guilty official of the Government, and I do not propose to be placed in the attitude of having that suspicion rest upon me.

But I do say, Mr. President, that the proper way of proceeding in all these matters, where investigations are called for by the resolution of a single Senator that are of consequence enough to be taken notice of by the Senate at all, is that it shall be referred to the proper committee, to the committee charged with the matters to which it relates, to determine whether an investigation is necessary.

If there is no issue between us, I think the motion to refer these resolutions to the committee can be adopted without division, and it should be adopted without delay. The committee should have time for consideration, and none too much time, but it should make an early report to the Senate of their opinion as to whether further investigation is necessary in this case, as to what investigation is necessary, and as to what should be the limitations, if any, of that investigation.

Now, why object to this? Why say that when we desire this we are trying to stifle investigation and keep things in the dark and to shield guilty persons, and that Republican Senators are inclined to prevent the investigation of something that ought to be investigated?

I do not desire to pursue this matter further, Mr. President, but I did feel that the real question before the Senate and the real issue before the Senate ought to be clearly set forth.

Mr. CARMACK. Mr. President, there is an issue between Senators upon this side of the Chamber and Senators upon the other side, if the Senator from Connecticut [Mr. PLATT] has correctly stated the attitude of the Senators on that side of the Chamber. We have not objected to this resolution going to the Committee on Post-Offices and Post-Roads on the personal assurances of the Senator from Pennsylvania [Mr. PENROSE], the chairman of that committee, having every confidence in the assurance that he would give the resolution early consideration and make an early report.

But we do not agree with the statement made by the Senator from Connecticut that everything should depend upon the recommendation of that committee as to whether or not an investigation shall be made. The Senator says if the Committee on Post-Offices and Post-Roads shall make a report recommending an investigation, or saying after they have examined into the matter that they think a further investigation is necessary, then Senators upon that side of the Chamber will be willing to go into a further investigation. Mr. President, I do not think the Senate ought to leave it entirely to the Committee on Post-Offices and Post-Roads to decide for it whether or not this investigation shall be had.

This matter, Mr. President, is not based upon mere rumors. We know that a condition of fraud and corruption and systematic violation of law has existed in the Post-Office Department. The Senator says that there has been a thorough, merciless, and elaborate investigation.

The investigation conducted by Assistant Postmaster-General Bristow has been thorough as far as it went, but it has not been elaborate; it has not been comprehensive. As the Senator from North Carolina [Mr. SIMMONS] has just said, it included only four divisions of one branch of the Post-Office Department. The conditions existing there are suggestive, at least, that like conditions may exist in other branches of the Post-Office Department.

It has been shown, and the reports made show, that there has been gross negligence on the part, not of the present Postmaster-General, but his predecessor. If he has been grossly negligent, if he has refused to investigate where charges have been made with respect to these divisions, then he may have been as grossly negligent with respect to other divisions in the Post-Office Department.

The Senator says, "If the committee shall find that further investigation is necessary." How is the committee to find that out? The committee can know nothing except what this Senate knows. It will have access to no information that the Senate does not already possess. The only possible way in which we can find out whether an investigation is necessary is to make an investigation, and we have information enough now to justify us in proceeding in this matter.

The Senator says that nobody on the other side of the Chamber objects to an investigation. Well, Mr. President, I understand

that there was a right serious objection made by a very distinguished Senator upon that side of the Chamber against any investigation by any Congressional committee of any wrongdoing in any of the Departments of the Government. The junior Senator from Massachusetts [Mr. LODGE] declared that such investigations were usually worthless; that the committees of Congress were not properly organized for that purpose; that they could not conduct such investigations properly; and then, to make the matter more pointed and emphatic, the Senator from Connecticut says that the Democratic minority of this committee will have a voice in the matter. The Senator from Massachusetts said that the minority should have no voice in this matter; that the Republican party was responsible for these things; that the Republican party would make its own investigations; and practically he told the Senators on this side of the Chamber that they were to have nothing to do with matters of legislation; that the Republican party would conduct the whole thing itself in its own way.

Now, that is one suggestion, Mr. President, which has brought on this debate.

Mr. PLATT of Connecticut. Will the Senator from Tennessee permit me?

Mr. CARMACK. Certainly.

Mr. PLATT of Connecticut. The Senator from Massachusetts being absent, I think I ought to read what I suppose is alluded to:

Mr. LODGE. Mr. President, I do not want to be misunderstood in what I said in regard to Congressional investigations. I of course did not refer to investigations relating to legislation or the subjects of legislation. With those I think Congressional investigations are not only necessary, but, as a rule, are extremely important and valuable.

Mr. CARMACK. What page of the RECORD does the Senator read from?

Mr. PLATT of Connecticut. Page 493. The Senator from Massachusetts proceeds:

I was referring to investigations for the purpose of discovering crimes and misdemeanors in the service, and I say those investigations as a rule, so far as my observation goes, are pretty worthless.

Mr. CARMACK. Exactly.

Mr. PLATT of Connecticut. I think that is what the Senator from Massachusetts really said.

Mr. CARMACK. Of course; that is exactly what I stated he said.

Mr. TELLER. Will the Senator from Connecticut give the page of the RECORD?

Mr. PLATT of Connecticut. Page 493.

Mr. CARMACK. The second column.

Mr. TELLER. Will the Senator read what the Senator from Massachusetts said on page 493?

Mr. CARMACK. I was going to read that.

Mr. TELLER. If the Senator from Tennessee is going to read it—

Mr. CARMACK. The Senator from Connecticut may read it if he likes. That confirms exactly what I said. The Senator from Massachusetts said:

I of course did not refer to investigations relating to legislation or the subjects of legislation. With those I think Congressional investigations are not only necessary, but, as a rule, are extremely important and valuable. I was referring to investigations for the purpose of discovering crimes and misdemeanors in the service—

The very kind of investigation we are proposing to have—and I say those investigations, as a rule, so far as my observation goes, are pretty worthless.

Then he proceeds to give as an illustration of that the fact that a committee of the House of Representatives did investigate Mr. Machen and did not discover any of those crimes and misdemeanors. The Senator from Massachusetts was objecting to the very kind of investigation that we are asking for, saying that such investigations were absolutely worthless; that they accomplished nothing.

Mr. QUARLES. If it does not interrupt the Senator, I should like to ask whether his scheme for an investigation is outside of the instrumentality of any committee? Does not the Senator propose to have this investigation made by some committee?

Mr. CARMACK. Certainly.

Mr. QUARLES. Well, then, is the contention of the Senator that there ought to be a committee outside of that regular committee, to whom has been referred this very subject-matter?

Mr. CARMACK. It is not.

Mr. QUARLES. Then I can not understand what the contention of the learned Senator is.

Mr. CARMACK. My contention is that this committee ought to be instructed to conduct this investigation. The Senator from Connecticut [Mr. PLATT] thinks that the committee ought to conduct the investigation if the committee want to do it. I think they ought to be required to conduct the investigation. That is the issue between the Senator from Connecticut and me.

Mr. PLATT of Connecticut. It is a little more than that. The committee should report to the Senate as to whether, in its opinion,

an investigation is necessary, and then the Senate will be in a position to determine whether an investigation is necessary.

Mr. CARMACK. I think the Senator further said that, if the committee did report that it was necessary, Senators upon the other side of the Chamber would be ready to vote for such an investigation. I suppose he also meant that if the committee should report that it was not necessary, they would vote to sustain the committee. That practically leaves the matter entirely in the hands of the committee to decide whether or not an investigation is necessary.

I say the Senate should instruct the Committee on Post-Offices and Post-Roads to make this investigation; they should require the committee to do it. The Senate already knows enough in regard to this matter; it does not need any further information; and there is no information that the Committee on Post-Offices and Post-Roads could give to the Senate, without first conducting an investigation, that the Senate does not already possess. We are just as well prepared to decide right now, at this moment, whether or not we want an investigation as we shall be after the Committee on Post-Offices and Post-Roads makes its report.

Mr. President, if this were an entirely new matter, if it rested upon mere rumor, if some Senator had simply come in here and made a charge, without any basis, then it would be well enough to have a committee conduct a sufficient investigation to determine whether or not there was enough fraud and corruption to justify further investigation; but we already know all that.

We know, furthermore, from the report of Mr. Bristow and from the Bonaparte-Conrad report, that further investigation is necessary, because they say so.

Mr. PLATT of Connecticut. Where does the Bristow report say so?

Mr. CARMACK. I think the Bristow report says that further investigation is necessary. I know the Bonaparte-Conrad report says that; and I say as the Senator—

Mr. DOLLIVER. Mr. President, if the Senator will permit me—

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Iowa?

Mr. CARMACK. Certainly.

Mr. DOLLIVER. Has the Senator at hand the suggestion of the Bonaparte-Conrad report to which he has referred?

Mr. CARMACK. No, sir; I have not. I did not at all expect to get into the debate this morning.

Mr. BURROWS. If the Senator will pardon me just a moment—

Mr. CARMACK. Certainly.

Mr. BURROWS. I have here the report of Messrs. Conrad and Bonaparte, and their recommendation on page 373, which, I think, discloses that they do not recommend a further investigation, except in one particular. Their recommendation is—

That a thorough investigation be ordered, if it has not been already ordered, of the administration of the Washington post-office, of the administration of the New York post-office, and of the administration of the office of the First Assistant Postmaster-General within the past three years. It is probable that this recommendation has been already in great part, and perhaps altogether, anticipated by the action of the present Postmaster-General; but as we are not at the moment of preparing this report fully informed as to the scope of the departmental inquiry now for several months in progress under his orders, we venture to submit it. We have been favorably impressed by the zeal, fidelity, and intelligence of the post-office inspectors and deem them fully competent, under the supervision of the Fourth Assistant Postmaster-General, to conduct such an investigation as is here suggested.

That a carefully chosen, small commission be appointed by the President to report a plan whereby the work of the offices of the Comptroller and of the several auditors may be removed from all political, personal, or other extraneous influences, the officials therein employed protected from injury through the enmities they may incur in the discharge of their duties, and the competency and independence of all engaged in this branch of the Government secured through their selection by free competition, promotion for merit only, and assurance of tenure during the continuance of fidelity and efficiency on their own part.

I know of no other recommendation on their part, though there may be.

On page 7 the President of the United States says in his memorandum:

Messrs. Bonaparte and Conrad, in their review of the report of Mr. Bristow, speak as follows:

"We consider the report an exceptionally able, candid, and impartial review of its subject-matter, and that it shows clearly reprehensible misconduct, amounting in many cases to crime, on the part of a number of public officials. It is a voluminous document, but this arises not from prolixity, but from the nature of the matters discussed. * * * We heartily commend the report and deem its conclusions fully justified by the facts it sets forth, and while regretting in common with all patriotic citizens that the grave abuses of long standing which it reveals should have grown up in the Post-Office Department, we consider the exposure of these abuses and the attempts made to punish those responsible for them a work of the highest public utility, quickly and ably performed."

Near the bottom of page 6 the President also says:

After full consultation with Mr. Payne it was decided that Fourth Assistant Postmaster-General Bristow should make a thorough and exhaustive investigation of the charges in question and of all matters that might be developed in connection with them.

Then the President says:

Mr. Bristow's report is a record of as thorough a bit of investigating work as has ever been done under the Government.

I have been unable to anywhere find a suggestion made by Messrs. Conrad and Bonaparte or by anyone else that the investigation ought to be further proceeded with. Yet for one I desire to say in that connection, as a member of the Post-Office Committee, if it should appear to the committee that there are some other matters outside of this investigation which have not yet been touched upon that ought to be investigated, I am quite sure that an investigation will be ordered.

Mr. CARMACK. Mr. President, we do not know whether they ought to be investigated or not, but we do know that the investigation thus far made has not covered all the divisions of the Post-Office Department. We know it covers only four divisions in the Post-Office Department; and I say, in view of the fact that the investigations thus far made have shown conclusively that there has been gross negligence on the part of the Postmaster-General, that he has stood in the way of an honest investigation as long as he could, that he did everything in his power to prevent investigation, that he spoke contemptuously and insultingly of the witnesses whose testimony was offered him—I say, in view of that condition of affairs, in view of the indisposition and obstinate opposition of the Postmaster-General to proceed with any investigation whatever, and in view of the fact that great corruption has been disclosed in some of the divisions of the Post-Office Department, it at least raises a strong ground of suspicion that there is rottenness in other divisions of the Post-Office Department.

I can not stand here and charge that there is such fraud, and no other Senator can charge that there is. There is no way on earth in which we can find out whether there is or not without a thorough investigation. Such an investigation has not been made anywhere or by anybody. We are asking that the whole Post-Office Department shall be opened up and subjected to a merciless investigation.

Mr. President, I am not pleased with the suggestion that comes from a distinguished Senator on the other side of the Chamber that this ought to be a partisan investigation. I am not pleased with the suggestion that Democrats should have nothing to do with it; that the Republicans bear the whole responsibility, and that they shall conduct the investigation in their own way. The responsibility, Mr. President, rests upon the whole country; it rests upon both sides of the Chamber, and we have as much right to perform our part in this great duty as have Senators upon the other side of the Chamber.

I wish again to emphasize my objection to the idea which has been expressed, that the Executive Departments of this Government should be left to investigate themselves, and that there should be no investigation of any charges against an Executive Department of the Government unless it is conducted by that Department or by the Executive himself.

As I said the other day, any charge of negligence or malfeasance or corruption in office, or violation of law in any Department of the Government is, to some extent at least, a charge of negligence against the Chief Executive of the country, who is charged in the Constitution with the duty of taking care that the laws be faithfully executed. If they are unfaithfully executed, the responsibility rests upon him, and I say it is not right that an investigation which discloses, or which may disclose, negligence on the part of the Executive of the country should be conducted only by the Executive.

Mr. TILLMAN. Mr. President, the Senator from Michigan [Mr. BURROWS] asked a moment ago if there was anything else besides what was mentioned in this report. I thought I called attention a little while back to a very fruitful source of suspicion in the fact that this Senate, with practical unanimity, adopted an amendment, which I had the honor to offer, providing for the purchase by the Government of boxes for the rural free-delivery routes and the selling of them at cost to the individual mail receiver or farmer. Everybody agreed that was a practicable and just provision of law. Where did that go out? It went out in conference with the members of the House Post-Office Committee, who came over here, and who—advised, as I suppose, and encouraged thereto by the Post-Office Department, Mr. Machen, Mr. Beavers, and others—objected strenuously to any such provision going into the bill. I have had letters from private individuals in different parts of the country, mainly in the North, who have charged fraud and robbery of the people in this matter of the rural free-delivery boxes. I think we might investigate that.

Whilst I am on the floor I will ask another question of some of you gentlemen over there, as to why it comes and how it comes that we are informed in the newspapers that the statute of limitations runs against these thieves who have been caught up with, and that no indictments can be obtained or entered or prosecuted because the law has let them go, their rascality having been discovered too long after they had been guilty of the illegal acts.

The condition of partisanship which is appearing here is so great that we really do not ever expect to obtain, under this system of Congressional smothering, any light by which we can catch one of these thieves and put him in the penitentiary before the statute of limitations bars further proceedings, and then it will be said, "Oh, that does not matter; that is so long ago, so old, and so far back that it is not worth while to prosecute."

I confess I do not see how honest and responsible men can stand up here in the face of public opinion and say: "Oh, no; the President and the Postmaster-General have done all that is necessary. We do not propose to go any further."

I should like the Senator from Michigan to give me his opinion as to this rural free-delivery box business, by which even now the farmers of the country are compelled to pay a dollar and a quarter for a box which was offered to me and sent here by the manufacturer, and I was authorized to make a proposition to the Government that he would manufacture those boxes and sell them at a half dollar each. There is a steal there somewhere. Who got that money in the past, and who is getting it now?

Mr. QUARLES. Mr. President, I was very sorry that my friend from Tennessee [Mr. CARMACK], even in the heat of debate, should have been led to pass strictures upon the present Postmaster-General.

Mr. CARMACK. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. QUARLES. Certainly.

Mr. CARMACK. If the Senator will permit me, I think I said very distinctly that I referred to his predecessor.

Mr. QUARLES. The Senator was not cautious, then, in his last remark, because, if I understood him aright, it could only have a reference to the present Postmaster-General. Of course, if the suggestion had no reference to him, I have no criticism to make at this time.

Mr. CARMACK. It did not, Mr. President.

Mr. QUARLES. Very well.

Mr. CARMACK. If the Senator will permit me, I think that I said distinctly, in the course of my remarks, that I referred to the predecessor of the present Postmaster-General.

Mr. QUARLES. In the early part of his remarks, if the Senator will remember—

Mr. CARMACK. I was referring to his predecessor on both occasions, Mr. President. I was not referring to the present Postmaster-General.

Mr. QUARLES. I feel very sure that my friend, who appreciates integrity and fidelity in a public officer, as we all do, will agree with me that Mr. Payne, as soon as his attention was called to this matter, took hold of it in a spirit of fairness and impartiality, and even sacrificed his health through the heat of last summer by remaining here, though a sick man, to see that the investigation was carried on with vigor and impartiality.

Mr. CARMACK. Mr. President, I am not expressing any opinion now about that. I said something the other day with reference to the present Postmaster-General. My remarks to-day had reference to his predecessor in that office. The point I was making was that this corruption had grown up in the Post-Office Department; that the Postmaster-General's attention had been called to it, and that he had pooh-poohed it; and even after he went out of office, when his attention was called to it, he replied with reflections upon the character of the witnesses, men whose testimony was afterwards made the basis of the report. If that corruption grew up in these few divisions of the Post-Office Department and the Postmaster-General refused to make any investigation to discover it when it was called to his attention, but pooh-poohed it and made bitter attacks upon the character of the witnesses, then I say he may have been equally negligent with respect to other divisions of the Post-Office Department.

The present Postmaster-General, of course, could not be responsible for that condition, because it grew up under his predecessor, and he, of course, was not responsible for what occurred then. I do think, with respect to the Tulloch charges, that the present Postmaster-General was not as diligent as he should have been. He may have been relying too much upon the action of his predecessor. That may be some excuse for him, though I do not think it entirely excuses him. The main responsibility for that, however, rested upon his predecessor.

Mr. BURTON. Mr. President, the question, as I understand, is on the motion to refer all these resolutions to the Committee on Post-Offices and Post-Roads.

The PRESIDENT pro tempore. That is the pending question.

Mr. BURTON. That is the pending question, as I understand, and I do not see the necessity for this discussion at this time. Let these resolutions go to the committee, because after the committee has considered the resolutions—and that committee is made up of representatives from the other side as well as from this side of the Chamber—and after action is taken by that committee, if there

is anything done which the members upon the other side think is wrong, it seems to me that will be time enough to discuss the question as to whether or not there will be a fair investigation or otherwise.

Mr. CARMACK. I would suggest to the Senator from Kansas that there are still several Republican Senators who desire to speak, and it would not be fair to have the resolutions go to the committee until they have an opportunity to be heard.

Mr. DOLLIVER. Mr. President, it appears to me that altogether too much emphasis is being put upon the importance of a Congressional investigation of the Post-Office Department, and the public mind, already sufficiently inflamed about corruption in that service, is liable to be still further misled into the belief that a general state of rottenness and irresponsibility has grown up in that great business Department of the Government.

I confess that I have shared those feelings of anxiety, amounting to indignation, at the disclosures that have been made, and yet when I have considered the enormous business of the Post-Office Department and the great variety of public interests that are committed to it, the revelations that have been made, instead of creating upon my mind the impression of a general state of corruption, have strengthened rather my confidence in the integrity with which the Government of the United States has been administered.

These investigations, which have been confessedly full and complete, at least so far as they have gone, have, in my judgment, uncovered in those divisions of the Post-Office Department where fraud was possible all the fraud that has existed there. They have developed no cases of embezzlement or misuse of public funds where accounts are kept and audited, but the abuses which have been revealed have grown up at those points in the service where any public account is impossible, and where the relation between the public official and the contractors with which he was dealing was necessarily a private and practically a secret relation. So that we have seen the spectacle of inferior officers of the Post-Office Department entering into contracts for the purchase of goods—for example, of the free-delivery boxes—and making a secret arrangement with the manufacturers by which a portion of the price paid was converted to the personal use of the officer making the contract.

All these have been investigated, and, I am glad to say, brought to the attention, as they ought to be, of the criminal courts of the country, and the parties charged thus with abusing the trust that was reposed in them now confront the courts for the decision of these charges.

I do not believe that any public interest could be served by a Congressional investigation. In the course of my service in Congress I have had the opportunity of participating in several of these investigations. I know the difficulty of making such investigations; the difficulty of securing testimony; the difficulty of covering such cases in any adequate way. The Senator from Tennessee [Mr. CARMACK] has said that an Executive Department ought not to investigate itself. The fact is that every Department of our Government is organized by law with the machinery for investigating its own business.

Mr. CARMACK. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Tennessee?

Mr. DOLLIVER. Certainly.

Mr. CARMACK. I did not say that the Executive Departments ought not to investigate themselves. I say that they ought not to have the exclusive right in that particular.

Mr. DOLLIVER. Very well. I gathered the opinion that these were practically charges and suspicions against the President or against the Postmaster-General or against high and responsible public officials of the Government. I am, for one, glad to say and to believe that even in the heat of partisan malice no such suspicions have been engendered in any quarter, and that the public confidence in the high and responsible officials of the Executive Departments of the Government have been untouched even by the breath of suspicion.

There is no sense, no reason, in my judgment, for supposing that the Post-Office Department itself is at a moral disadvantage in conducting investigations of the transaction of its own subordinates; in fact, that great Department and all the other great Departments of the Government are specifically equipped by law with the exact machinery required for such investigation. Take, for example, these charges against the former chief of the division of salaries and allowances of the Post-Office Department of dividing the profits of contracts with the parties with whom they had entered into contracts. By what possible means could a Congressional investigation have entered into a question of that sort?

They could investigate the accounts, but the accounts were all right upon the books. They could investigate acts, but the public acts of those officials were presumably correct and according to the best standard. The defect lay in the fact that, secretly and

corruptly, officials charged with the transaction of that kind of business had divided the profits of contracts with the parties with whom they were authorized by law to enter into contract. I have never been able to see how any committee of Congress could have made any impression upon a situation like that. It requires an elaborate effort of the most expert detective force existing, I believe, in the United States, public or private, to make the slightest impression upon a situation like that.

The Post-Office Department is equipped with inspectors trained in the business of criminal detection. The whole corps of post-office detectives was put at the service of the Fourth Assistant Postmaster-General, as, patiently and quietly and secretly and by the most approved methods, he entered into an investigation of these matters.

Mr. GALLINGER. And the national-bank examiners.

Mr. DOLLIVER. As well as other expert criminal detectives connected with the Treasury Department. So, what has been done has been done with the machinery with which no committee of Congress could possibly be equipped, and it is, in my judgment, absolutely incontrovertible that no committee of Congress, in the very nature of the case, could add to the tangible results with which that work of criminal detection has been entered into by the Post-Office Department itself.

Fortunately, the work was carried on not only with ample machinery to transact it well, but it was carried on with the personal and earnest cooperation of the President of the United States, of the Postmaster-General, whose honesty and integrity of purpose ought not to be impugned here, I think, and it was placed in the hands of a man who, with long experience in the postal service and with special skill and ability for that business, has brought to light all the misfeasances and malfeasances in public office connected with that Department which are accessible to the insight of criminal detection, and yet we are called upon to take up the work where they laid it down.

It is said that that recommendation has been made by somebody. I can find in the record no indication that anybody connected with the Post-Office Department feels that that work has been so insufficiently done as to require the intervention of Congress. The President certainly does not feel so. The Postmaster-General does not feel so.

Mr. Bristow himself does not suggest that if he had had more time or more facilities he could have gone further and done better work. Mr. Conrad and Mr. Bonaparte, appointed special agents in connection with some of these prosecutions, make no such suggestion, so far as I can find. The suggestion comes on this floor.

Mr. GORMAN. Mr. Conrad and Mr. Bonaparte both recommend further investigation.

Mr. DOLLIVER. They recommend that the Department itself conduct investigations of the post-office in Washington and the post-office in New York and some other matters, and suggest they have no doubt their views upon the matter have been anticipated by the Department, as they actually have been anticipated. They recommend no investigation by Congress.

Now, what is the object of bringing this matter into the Senate and into the House of Representatives? I do not want to become partisan. I agree entirely with my friend the Senator from Tennessee that matters like these ought not to be colored by the differences of our partisan politics; and yet it appears to me that there is not absent altogether that fine party motive which would set the Post-Office Committee of this body to an unlimited and unprofitable restating of these cases and a reexamination of these matters which have been practically disposed of. For one, I do not believe that any public interest can be conserved by the Post-Office Committee of this body or by the Senate itself spending the coming summer in filling the air with scandals and noises and suspicions about matters which have already been thoroughly investigated and placed before the grand jury, where they belong.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. Will my friend the Senator from Iowa pardon me for the suggestion that if we are partisans in endeavoring to get light, the Senators on the other side are as fully or more partisan in an endeavor to shut it off?

Mr. DOLLIVER. I do not recognize that anybody here—

Mr. TILLMAN. The party in power has more to gain from preventing an investigation which will disclose corruption than the party out of power has to gain from letting on the light.

Mr. DOLLIVER. Mr. President—

Mr. TILLMAN. We want to turn the rascals out. You want to keep them in.

Mr. DOLLIVER. We have already presented to the grand jury such misfeasances as we have found, not as a matter of partisan administration, but as a matter of the administration of justice. The Republican party has nothing to gain by shutting

out the light, and has shut out no light. The trouble with the Senator from South Carolina is that, unsatisfied apparently with the light that has been shed upon these matters, he proposes that the Post-Office Committee shall spend the summer in shedding darkness upon the situation.

Mr. TILLMAN. Will the Senator permit me again?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. What about those rural-delivery boxes? The same men who are now under indictment, charged with malfeasance and corruption and stealing, are the very fellows who have had the manipulation and control of the rural free-delivery business.

Mr. DOLLIVER. Certainly, and that is exactly—

Mr. TILLMAN. Hold on. The investigation has not gone into that at all. It has been confined to the city-delivery boxes.

Mr. DOLLIVER. You can not convince the chief of the rural free-delivery division that the investigation has not struck him.

Mr. TILLMAN. Neither can you convince Mr. Perry Heath that he is at all smirched by this report.

Mr. DOLLIVER. I do not want—

Mr. TILLMAN. The secretary of the Republican national committee stands abroad in daylight as an honorable and honest man, while his reputation has been—well, it has been tattooed with charges of stealing. [Laughter.]

Mr. DOLLIVER. I do not desire to be drawn into a defense of anybody, although I know of nothing which would warrant an attack of that sort upon Mr. Perry Heath.

Mr. TILLMAN. I am speaking only of the accusations made by Mr. Bristow's report.

Mr. DOLLIVER. The Senator—

Mr. TILLMAN. I believe, if the Senator will permit me—

The PRESIDENT pro tempore rapped with his gavel.

Mr. TILLMAN. I must get back in order.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. I only rely upon these documents for what I have said against Mr. Heath. I can read from them if the Senator desires. I can read the charges, the grave and most damnable charges, made against Mr. Heath.

Mr. DOLLIVER. Has the Senator from South Carolina finished?

Mr. TILLMAN. For the present.

Mr. DOLLIVER. My reading of the Bristow report does not indicate that the Fourth Assistant Postmaster-General draws any conclusion at all with respect to Mr. Heath or makes any charge against him. If there is any charge involved in it, it is a recitation of the testimony that has passed through his hands in respect of some of these transactions.

So far as these boxes are concerned, my recollection of the matter is that the exact thing for which the chief of the division of rural free delivery is now standing before the court is connected with the fraudulent purchase of boxes and other post-office materials.

Mr. TILLMAN. For cities. There is nothing here that I have heard of—

Mr. DOLLIVER. There are many indictments against him.

Mr. TILLMAN. There is nothing here that I have heard of, although I may be in error, in regard to forcing the farmers to purchase boxes from a given number of manufacturers with whom some parts of the Post-Office machinery, under the management which we have had, were in collusion and received a rake off, so to speak. If he would rake off on city-delivery boxes, why would he not rake off on rural-delivery boxes?

The PRESIDENT pro tempore. The Senator from South Carolina must get permission to interrupt.

Mr. TILLMAN. I beg pardon of the Chair and of the Senator from Iowa.

The PRESIDENT pro tempore. The presiding officer is very kindly disposed, and if further interruptions occur he will have to call upon the junior Senator from Alabama [Mr. PETTUS] to take the chair. [Laughter.]

Mr. DOLLIVER. Mr. President, all of these matters are included in the investigation which Mr. Bristow made. I have listened to all these speeches, and none of the distinguished Senators know anything about the Post-Office Department, in connection with this malfeasance in office, except what they have learned from Mr. Bristow's report. I for one, having been somewhat interested as a member of the Post-Office Committee in these proceedings, have made up my mind that that report has brought to light whatever abuses existed in the Post-Office Department, and that if other branches of the Post-Office Department are to be subjected to suspicion, there will not be wanting either the purpose or the ability on the part of the Postmaster-General, acting in conformity with the well-known wishes of the President of the United States, to bring the offenses to light and the offenders to

justice. I regard any further agitation of the matter here as mere partisan clamor intended to fill the air with noise for the possible benefit of a political party which has possibly something to gain on this matter, but certainly has nothing to lose.

Mr. TELLER. Mr. President, it is a little difficult to ascertain what is the attitude of the dominant party in this Chamber on the pending question. Day before yesterday we were told by a distinguished Senator on the other side, apparently speaking for his associates, that the investigation would be made fully and frankly, but that it should be made by the party in power and that the minority should have nothing to say one way or the other about it. The distinguished junior Senator from Iowa [Mr. DOLLIVER] now announces that in the first place the Senate is not capable of making this investigation so thoroughly as the Department is capable of investigating itself; and then he added that the whole question is already settled in his mind; all the frauds have been brought to the front and been presented and no more can be presented.

He is confident of that, but he is not quite so confident of it as to be willing that there should be an investigation to see whether or not it is a fact. He is a little afraid that he may be mistaken and that there may be other frauds which have not come to the front, and so he is going to oppose any further investigation on the ground that he is satisfied. Mr. President, he may be satisfied. I doubt whether anybody else than the junior Senator from Iowa is satisfied. I know a good many Senators here are not satisfied.

I think it is exceedingly unfortunate that a question of this kind must be brought into the arena of politics. It certainly was not brought in from this side of the Chamber. The moment it was suggested that there should be an investigation of the Department, that moment on the other side of the Chamber it was treated as an attack upon the Administration, and the language of the Senator who has just taken his seat indicates that that is the standpoint from which he looks at it—that it is purely and simply a political attack. If that is true and if every time the minority, or even a member of the party in power, shall suggest an investigation it is to be taken as an attack upon the Administration, there will never be very much of frauds uncovered.

I know well enough that the administration in a Department may be very corrupt, and the head of the Department may be as pure and clean as it is possible for a man to be. The Postmaster-General can not know all the details that are going on in his Department, and you may uncover unheard-of frauds in the Post-Office Department, and yet it may not be that he is guilty of any crime. He may be guilty of negligence, and he may not. He may think that the Department is well officered and well equipped, and he may trust men, because he must trust somebody; and it is not an attack upon the Postmaster-General to say that there are in his Department offenses which have not yet been uncovered.

The Senator says they have uncovered everything. This examination, thorough as it may be so far as it has gone, has not gone to the entire Department, and the Senator from Iowa knows that. He assumes that they have examined every bureau and every division of the Post-Office Department, and that those they have not examined are not guilty of any crime and there is not any corruption in that section. That is not a very wise conclusion for us to come to.

The Senator from Connecticut [Mr. PLATT] thinks we here in the Senate should not assert the right to make an examination unless it is recommended by some committee, composed of our associates, with no greater opportunities of knowing than the rest of us, but who happen to be accidentally, by the selection of the party, appointed upon the committee to which similar subjects are intrusted, and that then the whole conscience of the Senate must be delivered over to that committee. Then the Senator from Connecticut, in order that the committee may make a report such as he wants, gets up and announces that, in his judgment, there is not any occasion for a report from this committee in favor of an investigation, and, unless the committee does so report, that ought to be the end of the whole transaction.

The junior Senator from Iowa follows in the same line. He wants the Committee on Post-Offices and Post-Roads to understand that there is no occasion for an investigation, and I suppose they will be somewhat influenced by the ideas of their associates on the subject.

And yet we were told day before yesterday that there was to be an open investigation of everything. I think the Senator from Massachusetts [Mr. LODGE] reserved the right to have his party do it, and indicated that any attempt on our part to interfere from this side would be an offense, I suppose, against the proprieties of this body. But, Mr. President, that is not true.

Now, if this matter takes a political shape, I want to say that I have heard nothing of that character, except as brought out by the statement from the other side that the suggestions for an investigation were for a purely political purpose.

Mr. President, I stood the other day and stand now for the

right of this body, independent of any committee, independent of any body except itself, to examine any Department of this Government, high or low, and I am astonished that any Senator here should hesitate about or question that right. It is not for me to say what is proper for the other side to do from a political standpoint, but it seems to me from a public standpoint, from the standpoint of the interest of the public, from the standpoint of the good of the public, that an investigation in this case is absolutely essential and absolutely necessary, and I do not think it is answered when one Senator gets up here and says, "Oh, there is no occasion for an investigation. We have already uncovered all the crimes, and no more can be found."

There were two investigations, I understand, one of them by the House and one by the Senate, and they reported that there were no crimes there, that there were no defalcations and no derelictions of duty; and if the Senator from Iowa had been called upon for his judgment by the Postmaster-General, he would have said promptly, "Two examinations have been made here, and no improprieties have been discovered; therefore it is not worth while for you to make an investigation." He would have said, as was said by an official, the whole thing is "hot air."

Mr. President, a former employee of this Department paraded these streets for more than a straight year declaring to the public and detailing to the public the frauds that were being committed in the Post-Office Department. He had come out of that Department. He was declared by the Postmaster-General to be a slanderer. He was declared to be a slanderer by these men who are now under indictment; and it was only when the outside public, the newspapers and public opinion, compelled the investigation in that Department that it was made.

I do not mean to say that it was not properly made when made; I do not mean to say that the Postmaster-General did not believe that the charges were "hot air"—I presume he did; but, after all, it was not a self-investigation. It was not an investigation originating in the Department. It originated, as the President said substantially in one of his papers, although I do not remember which, as an investigation demanded and brought about by outside influences. The public will never be satisfied until there is an investigation of that question independent of the men who are likely to be smirched, either directly or indirectly or inferentially, with reference to the disclosures that may there be made.

The Senator from Iowa [Mr. DOLLIVER] thinks we have not the machinery. There is not any intricacy connected with the power of investigation by any legislative department with which we are not equipped. If you want to call detectives, we have them, or the power to call them. If you want to call accountants, you can call them from the ends of the earth, and there is not an intricate bookkeeping system which can not be brought before the Senate so that, by the aid of the men we are entitled and authorized to employ in a Senatorial investigation, every Senator will understand it.

Mr. President, it is a most astonishing thing to me to hear Senators deny our power and deny our capabilities, and then deny our qualifications. We are unfit to sit in the Senate if we are not capable of carrying on this investigation in a way to unearth all the frauds that may be existing in any Department of this Government, and the people of the United States look to us—to the legislative branch of the Government and not to the executive branch—to tell them whether the executive branch is full of corruption or whether it is not. You will hear a roar from the people before you get through with this matter which will make you tremble in your seats, Senators, unless you give heed to the public demand which is heard in your own newspapers and from your own leading men in this country that there shall be a thorough investigation, not by the men charged with the offenses, but by men who are supposed to be capable of making the investigation and to be above suspicion.

ADJOURNMENT TO MONDAY.

Mr. ALLISON. I move that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

WAGON ROAD, MARICOPA COUNTY, ARIZ.

Mr. BEVERIDGE. Out of order I ask unanimous consent to submit a report from the Committee on Territories.

The PRESIDENT pro tempore. Without objection, the report will be received.

Mr. BEVERIDGE. From the Committee on Territories, to whom was referred the bill (H. R. 7273) to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freight and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz., I report it without amendment and ask for its present consideration.

The PRESIDENT pro tempore. The Senator from Indiana, from the Committee on Territories, reports a bill for which he asks present consideration. It will be read to the Senate for its information.

Mr. TELLER. I desire to reserve the right to object to the bill when read. I do not know what it is.

The PRESIDENT pro tempore. That right is in the Senator. The bill is to be read for the information of the Senate.

The Secretary read the bill.

Mr. BEVERIDGE. I ask unanimous consent for the present consideration of the bill.

Mr. TELLER. I wish the Senator would make a statement showing just what it is.

Mr. BEVERIDGE. I am going to do so. I will condense it, but hope to make it clear.

Mr. President, the Government under the irrigation act is building a dam on the Salt River, by the route as now existing a hundred and ten miles above the Salt River Valley, which is to cost about \$3,000,000; in fact, entirely \$3,000,000. That sum, together with all expenses in addition to the sum for building the dam itself, must, under the law, be paid back in the course of ten years by the farmers of Salt River Valley in Arizona. These charges, in addition to the cost of building the dam, also include freightage and the building of a trail for taking things up there and everything of that kind. At present the shortest route is 110 miles over precipitous mountains, very difficult, indeed, to travel. The next shortest and perhaps the easiest route is four hundred and some miles, partly over two railroads and partly by a very imperfect stage route.

It is proposed by this bill to enable the people of the valley which is to be benefited by the waters to be impounded by this dam to join the Government in making the trailway which the Government is now making a good road, so that they can take freight up there cheaply, so that they can have easy communication with that region, and so that the mines in the neighborhood of the dam may be reached easily and cheaply.

This road will shorten the route to the dam to perhaps 50 or 75 miles, and will save to these men a very large sum of money, the exact amount of which nobody can now estimate, which these men themselves must pay back to the Government in the next ten years under the irrigation law. Therefore it is a bill to permit the people of Salt River Valley to issue bonds to raise some money to be added to the money that the Government is going to expend in building up the telephone and telegraph line to this site, so in the end to save them a very large sum of money, and so also to improve communication and everything else.

I could go into some details. There are many things to be done for which this highway is absolutely needed. The sum proposed is \$50,000, which will probably slightly exceed the 4 per cent limitation on the taxation.

This, I think, is a fair outline of the purpose of the bill. It is in itself of large importance to the people living in Salt River Valley, in which are located Phoenix, Tempe, and Mesa.

Mr. PETTUS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Indiana yield?

Mr. BEVERIDGE. Certainly.

Mr. PETTUS. I merely want information. I ask the Senator what is the limitation on the amount, and how is it fixed?

Mr. BEVERIDGE. The limitation on the amount is 2 per cent, of which as much as may be necessary is to be added to the amount the Government is now putting in a trailway. That is merely a temporary affair for taking up the telephone and telegraph line, and things of that kind, on which \$25,000 will be expended. I understand from the Delegate from the Territory that the Government will add \$25,000 to that, or \$50,000 in all, if the citizens who are to be benefited by the enterprise will add \$50,000 more, making \$100,000 in all. The exact amount is left indefinite.

Mr. TELLER. What will that amount to?

Mr. BEVERIDGE. The assessed value of Phoenix, Tempe, and Mesa is \$5,505,000. The bill enables these towns to issue bonds on their taxable property. Their present indebtedness is \$114,000. It is proposed to authorize these three towns to issue bonds to build this road not to exceed 2 per cent of the assessed valuation.

Mr. TELLER. I wish to suggest that I think the wisest way to pass this bill is to limit absolutely the amount of bonds they shall issue. The Senator ought to be able to do that.

Mr. BEVERIDGE. I think a 2 per cent limitation ought to be definite enough. I suggest to the Senator that he will himself readily see that it would not be wise to fix a definite sum except as by a per cent, for the reason that it can not be told at the present time just how much to a dot will be required to build the road. The money which the Government is expending is out of the impounding fund, from which the dam itself is built, and it is done as an accessory to the building of the dam itself. Now,

the Government proposes, for the purpose of making a permanent way, to save it freightage and everything else, to add \$25,000, if these people will pay the other part of it. So it is a matter of the future—it can not be a matter of present estimate. For that reason it has been put within a percentage limitation.

It was thought by the House, which passed the bill unanimously, and by the House committee, which reported the bill favorably without division, that that would be a better way. It fixes the limitation and at the same time permits a flexibility of judgment upon the exact sum to be expended. In any event it can not cost the people more than \$50,000.

Mr. TELLER. Not more than \$50,000?

Mr. BEVERIDGE. That is what I understand from the Delegate. It would take about \$100,000 to build that road. Of that \$100,000 the Government proposes to add to its present \$25,000 \$25,000, making \$50,000, and then it will require about \$50,000 more from these people, making \$100,000. It is a matter of very great concern to them, because the freights alone that they would have hereafter to pay would cost considerably more than the amount required to build the road itself.

Mr. TELLER. Have you amended the House bill at all?

Mr. BEVERIDGE. We have reported it without amendment.

Mr. TELLER. I do not desire to object under the circumstances, although I want to say generally that I am going to object to the report of a bill and its passage on the same day, unless it shall be a pension bill. I do not believe in it. I shall make no objection in this case, however.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. CULLOM. I hope the bill may be passed at this time. I happen to know something about the situation out there and the people who are interested in the road. From all I know of it there is no trouble about it at all.

Mr. BEVERIDGE. That is it precisely.

Mr. BATE. Mr. President, I have learned a little about the bill this morning, but in the time allotted I have not been able to become as familiar with it as I should like to be. I am a member of the Territorial Committee, but the bill has not been before the committee for investigation and discussion.

Mr. BEVERIDGE. The committee was polled.

Mr. BATE. The committee was polled, and all signed the report except myself.

This is a very peculiar case, and it has been my custom to object to any such legislation wherever it exceeds 4 per cent, which is the amount stated in what is known as the "Harrison law," which is in vogue now in all the Territories. This exceeds that, it seems, and I have been objecting to all such bills by the way of protecting the people against monopolistic tendencies.

This is a very peculiar case, but after what was said by the Senator from Illinois just now, and as it does not involve a great deal, I am willing, so far as I am concerned, to waive the objection I generally have to such legislation. It is very necessary for those people to do what they ask in order to put them in a good condition in relation to public roads and in relation to the places they are seeking to get in connection with on Salt River.

Another objection I have to this legislation, but it is not a fatal one, is that I do not like to see municipalities or States or Territories go into partnership with the General Government. This involves a kind of partnership of this road with the General Government, and I object to it on that account. But it is a small matter and very much needed, and I therefore waive any objection on that ground, although I originally intended to vote against it.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. SMOOT. I should like to ask the Senator from Indiana whether the city or the State is going to issue the bonds?

Mr. BEVERIDGE. No, sir; the three towns.

Mr. SMOOT. Three towns?

Mr. BEVERIDGE. Yes, sir.

Mr. SMOOT. And for the purpose of building a road outside of the limits of those three cities?

Mr. BEVERIDGE. It is for the purpose of building a road from these cities and the lands adjacent to them up to the dam itself. As it is now, they have to send provisions and all other kinds of freight, including machinery and everything necessary, by one of two routes. One is 110 miles long, is very difficult indeed, and imperfect, over precipitous mountains; and over the other, 400 miles long, it can not be done without great expense.

Mr. SMOOT. I understood that; but my point is that the money is to be spent from three points for the purpose of building a road outside the cities?

Mr. BEVERIDGE. Yes, sir.

Mr. SMOOT. The Government authorizes the spending of money raised by bonds upon the city property for the purpose of building a road outside of the city limits?

Mr. BEVERIDGE. It does.

Mr. SMOOT. The bill gives the authorization?

Mr. BEVERIDGE. Yes, sir.

Mr. SMOOT. That is what I wanted to know.

Mr. BEVERIDGE. The Senator will see that the three towns are to be benefited really by the building of the dam, which impounds about 1,500,000 acre-feet of water, and they have to pay back to the Government. They want to pay back just as little as they can, and the bill enables them to get up to the dam.

Mr. SMOOT. My idea is that the money can not be spent outside of the city limits unless this bill authorizes it.

Mr. BEVERIDGE. I know. It does authorize it.

Mr. SMOOT. If it does, it is all right.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. BERRY. I should like to have the title of the bill read.

The title of the bill was again read.

Mr. BATE. I wish to say in this connection that I do not understand the bill involves the right of the Government to build the road. If so, I should object to it on that ground.

Mr. BEVERIDGE. No; of course it does not.

Mr. BATE. This is not a road for the Government to build itself, but these cities ask the aid of the Government in doing it? The question of the right of the Government to do so is not involved in it?

Mr. BEVERIDGE. Not at all.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. GALLINGER. Mr. President—

Mr. CARMACK. Will the Senator yield to me for a moment? I am called out of the Chamber.

Mr. GALLINGER. With pleasure.

Mr. CARMACK. I simply wish to ask unanimous consent that the pending resolution may go over until Monday.

The PRESIDENT pro tempore. To be taken up immediately after the morning business?

Mr. CARMACK. Yes, sir.

The PRESIDENT pro tempore. The Senator from Tennessee asks unanimous consent that the Post-Office Department resolution may go over until Monday morning, to be taken up immediately after the routine business. Is there objection? The Chair hears none, and that order is made.

EXTENSION OF PIPE LINES.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 465) to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to amend the act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896, by adding a new section, to stand as section 4, as follows:

SEC. 4. That the Commissioners of the District of Columbia are hereby authorized to permit extensions of the pipe lines of the said Pintsch Compressing Company to reach the site of the Union Passenger Station or the terminals connected therewith. And the said Commissioners are further authorized to permit the relaying of the pipes of said company to accommodate changes in the authorized grades of streets: *Provided*, That all such work shall be done according to regulations to be approved by the said Commissioners and under the conditions named in said act, approved May 19, 1896.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 6) granting a pension to Cora M. Converse;

A bill (S. 7) granting an increase of pension to Alfred Woodman;

A bill (S. 8) granting an increase of pension to Perry Kittredge;

A bill (S. 11) granting a pension to John L. Sullivan;

A bill (S. 65) granting an increase of pension to Charles R. Allen;

A bill (S. 112) granting an increase of pension to Henry G. Hammond;

A bill (S. 137) granting a pension to Hannah Kelly;

A bill (S. 172) granting an increase of pension to Elizabeth McClaren;

A bill (S. 215) granting a pension to Mary D. Perry;

A bill (S. 338) granting an increase of pension to Jane M. Watt;

A bill (S. 339) granting an increase of pension to Ebenezer H. Richardson;

A bill (S. 367) granting an increase of pension to George W. Richardson;

A bill (S. 368) granting an increase of pension to Charles M. Wilcox;

A bill (S. 1604) granting an increase of pension to Mary A. Bishop;

A bill (S. 1652) granting an increase of pension to Minerva A. McMillan;

A bill (S. 1704) granting an increase of pension to Lucretia Ritchhart;

A bill (S. 1755) granting an increase of pension to Thomas Banks;

A bill (S. 1756) granting an increase of pension to Zebedee M. Cushman;

A bill (S. 1772) granting an increase of pension to Louise K. Bard;

A bill (S. 1819) granting an increase of pension to Charles P. Skinner;

A bill (S. 1832) granting an increase of pension to George W. Herron;

A bill (S. 1913) granting an increase of pension to Lorenzo E. Harrison;

A bill (S. 1929) granting an increase of pension to George W. Spahr;

A bill (S. 1952) granting an increase of pension to John Monahan;

A bill (S. 1984) granting an increase of pension to Levi Roberts;

A bill (S. 1985) granting an increase of pension to Jonathan Hites;

A bill (S. 2078) granting an increase of pension to Hampton C. Watson;

A bill (S. 2125) granting an increase of pension to Marcus T. Caswell; and

A bill (S. 2218) granting an increase of pension to Amanda B. Tisdell.

The message also announced that the House had passed a bill (H. R. 9160) to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904," approved March 3, 1903; in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

The bill (H. R. 9160) to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904," approved March 3, 1903, was read twice by its title, and referred to the Committee on Appropriations.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and ten minutes spent in executive session the doors were reopened, and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, January 11, 1904, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate January 8, 1904.

AUDITOR FOR POST-OFFICE DEPARTMENT.

Joseph J. McCardy, of Minnesota, to be Auditor for the Post-Office Department, to succeed Henry A. Castle, resigned.

APPRAISER OF MERCHANDISE.

Luman T. Hoy, of Illinois, to be appraiser of merchandise in the district of Chicago, in the State of Illinois, to succeed Horace H. Thomas, removed.

COLLECTOR OF CUSTOMS.

George F. Roth, of New York, to be collector of customs for the district of Genesee, in the State of New York, to succeed Henry Harrison, whose term of office will expire by limitation January 21, 1904.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

To be Lieutenant-General.

Maj. Gen. Adna R. Chaffee, United States Army, January 9, 1904, vice Young, to be retired from active service.

To be major-generals.

Brig. Gen. William A. Kobbé, United States Army, January 9, 1904, vice Chaffee, to be appointed Lieutenant-General.

Brig. Gen. Joseph P. Sanger, United States Army, vice Kobbé, to be retired from active service.

Brig. Gen. Alfred E. Bates, Paymaster-General, vice Sanger, to be retired from active service.

Brig. Gen. Wallace F. Randolph, Chief of Artillery, vice Bates, to be retired from active service.

Brig. Gen. George L. Gillespie, Chief of Engineers, vice Randolph, to be retired from active service.

To be brigadier-generals.

Col. Alfred Mordecai, Ordnance Department, vice Kobbé, to be appointed major-general, United States Army.

Col. Harry L. Haskell, Third Infantry, vice Sanger, to be appointed major-general, United States Army.

Col. Forrest H. Hathaway, Assistant Quartermaster-General, vice Mordecai, to be retired from active service.

Col. Asher C. Taylor, Artillery Corps, vice Haskell, to be retired from active service.

Col. John G. Butler, Ordnance Department, vice Hathaway, to be retired from active service.

Lieut. Col. Charles J. Allen, Corps of Engineers, vice Taylor, to be retired from active service.

Lieut. Col. Theodore E. True, Deputy Quartermaster-General, vice Butler, to be retired from active service.

Col. Frank M. Cox, Assistant Paymaster-General, vice Allen, to be retired from active service.

Col. Jacob Kline, Twenty-first Infantry, vice True, to be retired from active service.

Col. William E. Dougherty, Eighth Infantry, vice Cox, to be retired from active service.

Col. William S. McCaskey, Twentieth Infantry, vice Kline, to be retired from active service.

Col. Albert L. Mills, Superintendent United States Military Academy (captain, First Cavalry), vice Dougherty, to be retired from active service.

ARTILLERY CORPS.

Col. John P. Story, Artillery Corps, to be Chief of Artillery with the rank of brigadier-general, vice Randolph, to be appointed major-general, United States Army.

PAY DEPARTMENT.

Col. Francis S. Dodge, Assistant Paymaster-General, to be Paymaster-General with the rank of brigadier-general, for the period of four years, vice Bates, to be appointed major-general, United States Army.

CORPS OF ENGINEERS.

Col. Alexander Mackenzie, Corps of Engineers, to be Chief of Engineers with the rank of brigadier-general, vice Gillespie, to be appointed major-general, United States Army.

PROMOTION IN THE ARMY.

PAY DEPARTMENT.

Lieut. Col. Francis S. Dodge, Deputy Paymaster-General, to be Assistant Paymaster-General with the rank of colonel, vice Cox, to be appointed brigadier-general, United States Army.

CAVALRY ARM.

First Lieut. Willard H. McCornack, Eleventh Cavalry, to be captain, December 21, 1903, vice Moses, Ninth Cavalry, detailed as paymaster.

Second Lieut. Oscar S. Lusk, Twelfth Cavalry, to be first lieutenant, December 21, 1903, vice McCornack, Eleventh Cavalry, promoted.

INFANTRY ARM.

First Lieut. Joseph L. Gilbreth, Fourteenth Infantry, to be captain, November 21, 1903, vice Sigworth, Ninth Infantry, detailed as quartermaster.

Second Lieut. Nels Dicmann Anderson, Seventh Infantry (now serving under the name of Nels Anderson), to be first lieutenant of infantry, September 23, 1903, vice Glidden, Nineteenth Infantry, promoted.

WITHDRAWAL.

Executive nomination withdrawn January 8, 1904.

Second Lieut. Nels Anderson, Seventh Infantry, for promotion as first lieutenant of infantry in the Army of the United States, submitted to the Senate December 8, 1903.

HOUSE OF REPRESENTATIVES.

FRIDAY, January 8, 1904.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

ADJOURNMENT OVER.

Mr. PAYNE. Mr. Speaker, I move that when the House adjourn to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from New York moves that when the House adjourn to-day it adjourn to meet on Monday next.

The motion was agreed to.

COMMITTEE ON REVISION OF THE LAWS.

Mr. WARNER. Mr. Speaker, by direction of the Committee on Revision of the Laws, I offer the following resolution granting authority to that committee to sit during the sessions of the House.

The SPEAKER. The chairman of the Committee on Revision of the Laws offers the following resolution.

The Clerk read as follows:

Resolved, That the Committee on Revision of the Laws be authorized to sit during the sessions of the House.

The resolution was agreed to.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

BOLL WEEVIL.

Mr. HEMENWAY. Mr. Speaker, under the unanimous consent granted yesterday I call up House bill 9160. I yield to the gentleman from Texas [Mr. BURLISON] fifteen minutes' time.

The SPEAKER. The bill will be reported by title.

The Clerk read as follows:

A bill (H. R. 9160) to amend the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904," approved March 3, 1903.

Mr. HEMENWAY. Mr. Speaker, I now yield to the gentleman from Texas [Mr. BURLISON].

Mr. BURLISON. Mr. Speaker, this is a bill of great importance, not alone to Texas, but to all States engaged in the production of cotton. I desire to make grateful acknowledgment to the chairman of the Committee on Appropriations and the members of that committee for their promptness in reporting same. This bill apparently carries a large appropriation; but in this connection I desire to direct attention of the House to the fact that, as a matter of fact, this is not a new appropriation. It is simply a diversion of a part of the fund which was appropriated last year to enable the Secretary of Agriculture to stamp out the foot-and-mouth disease in the New England States. A careful consideration of its provisions will disclose that it will not add 1 cent to the aggregate of appropriations to be made for the current fiscal year.

Now, with reference to the purposes of the bill, I beg the attention of the Members of the House for a few moments. The Mexican cotton-boll weevil is an insect pest which invaded Texas from the Republic of Mexico about eleven or twelve years ago. It feeds and breeds exclusively on the cotton plant. Prior to its invasion of the State which I have the honor in part to represent it had ravished the cotton crops of the southern part of Mexico to such an extent that in the Tamaulipas section the cultivation of this staple had been wholly abandoned. It entered Texas in the lower Rio Grande section, an area where cotton is but little cultivated. At first it made but little progress. It spread very slowly for the reason that the Mexican boll weevil feeds and breeds alone upon cotton; and inasmuch as cotton was sparsely cultivated in that section, it could spread but slowly.

After a lapse of a few years, prior to which time the pest attracted but little attention, it reached Fayette, Washington, Burleson, and Lee counties, that section of continuous cotton cultivation and where cotton is the principal crop. It then fastened the attention of the entire country. From that period it spread more rapidly until to-day it infests more than 100 counties in Texas where cotton is cultivated, and year by year is enlarging the field of its operations. It now covers 32 per cent of the cotton area of the United States. I have been instrumental heretofore in obtaining from Congress three appropriations for the purpose, among others, of investigating the life history and habits of this insect pest. The first was secured as long ago as 1900. The amounts of these appropriations have been expended under the direction of the Secretary of Agriculture by the scientist connected with our Division of Entomology.

These gentlemen have reached certain definite conclusions and results which can be safely relied upon. One conclusion they have arrived at is that no insecticide application will destroy this